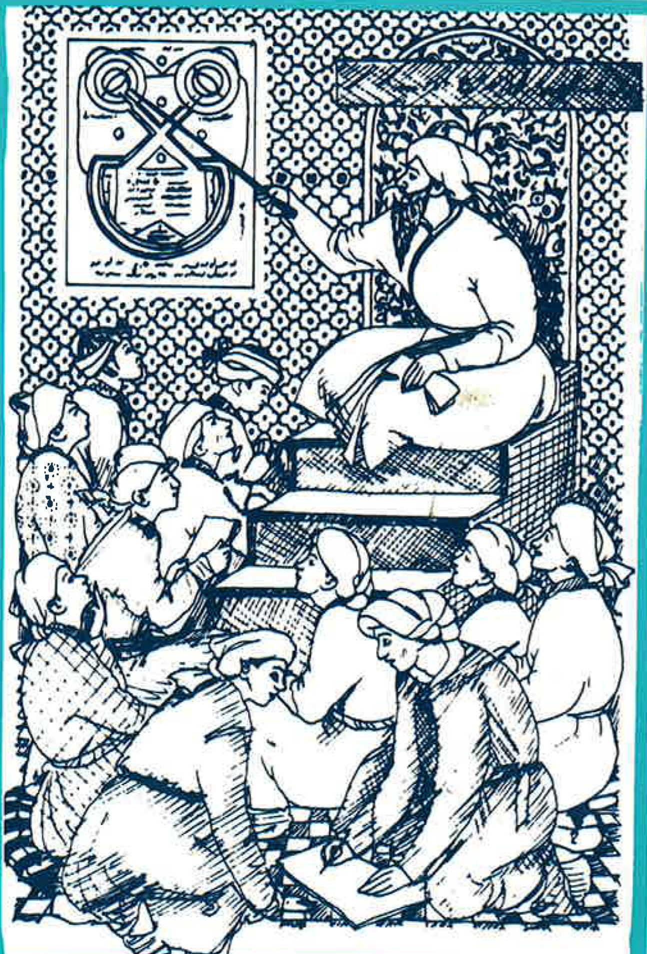
TOPICS IN
ISLAMIC MEDICINE

HASSAN HATHOUT



**Series of Publications of
Islamic Medicine Organisation**

TOPICS IN ISLAMIC MEDICINE

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PRELOGUE

Of the Jungle of Life I thought one day
And thought of prey and beast ..
And thought mankind have gone astray,
For we are no better in the least

With guided missiles and unguided hearts
Man digs Humanity's grave
What use is progress in science and arts
If to hatred Man be a slave ?!

For Men in the East, and Men in the West,
Forget they are one race ..
Each one for the "doom" is doing his best
And to win the dreadful race.

"The Two Sons of Adam" are still on the stage
More armed with science and brains
"Caine and Abel" is the story of ancient age
But today : they are both of them Caines !!

"Homo Sapiens" : rise while you still have a choice
On the wings of Love soar above
And sing with your heart – not only your voice –
'God is Love' .. 'God is Love' .. 'God is Love' .

Hassan Hathout

TO MY FELLOW BELIEVERS

THE WORLD OVER

FOREWORD

By

H.E. Dr. Abdul Rahman Al-Awadi
Minister of Health, Kuwait, and
Chairman, Board of Trustees,
International Organization of Islamic Medicine.

This publication comes at a time when the term "Islamic Medicine" has so asserted itself to the extent that two International Conferences on Islamic Medicine have been held so far, during which enough thought and conviction lead on to the conception and generation of an "International Organization of Islamic Medicine". This was not an idea that fell upon people from higher authority, but rather a consensus reached after all had their say, including those who believed that there was nothing called Islamic Medicine and those who felt very strongly with the Islamization of the medical profession in Muslim countries as the only way of protecting medical knowledge and technology from being abused or applied in a way that is contrary to Islam and dangerous to humanity. Physicians, scientists, historians, moralists, medical educationalists and jurists each in their own fields saw the case for and the need of "Islamic Medicine".

The present time is also one of general Islamic revival. So many hard times and set-backs have seemed to shake the conscience of the Nation, which after long trial and error is looking to God again for help and to Islam for a way of life. This Islamic tide is certainly a welcome change that might be the remedy to the Nation's ailments, but like many a good remedy untoward side effects may occur and have to be monitored and tamed. One of these, no doubt, is the emergence of religious phanaticism and pathologic emotionalism: both of which are in reality contradictory to the letter and the spirit of Islam. Any contribution to Islamic revival based on sound thinking and scientific approach would therefore be a most welcome effort. It is my conviction that this book falls under this category. The assortment of topics that it discusses and the style of presentation carry a message to the reader about the "core topic", but also about Islam as a whole.

That the book is written in English does not mean that it addresses the non-Arab Muslims, who indeed constitute the large majority of Muslims. The non-Muslim reader is certainly at the heart of this book, whether he is the scholar studying comparative religion or the lay person seeking information about "the others". Centuries of targeted (or mistargeted) indoctrination has led to a mental portrait of the "Ugly Muslim" in the West. Unfortunately some of us, Muslims, contributed to this picture by their behaviour which is often anti-Islamic, but of ocurse is related to Islam because (so called) Muslims do it. Perhaps encountering Muslims who are better representatives of Islam, or reading more about Islam, may help dispel the falsities and with them the

prejudices and hatreds even if time honoured. The present books is hopefully a step towards this aim.

But what about the author?

During the seventeen years, so far, I have known and associated with the author, I came to acquire an in-depth knowledge of his person and his various abilities. In fact, I somehow feel that he is too close to me to write in his praise, which will help me shorten this "Foreword" And save the reader some time and effort. And yet one point is relevant in the present context that should be mentioned, for it depicts a similarity between the author and our physician predecessors of the Muslim era who commonly proved their mastery in more fields than pure medicine. For the sake of readers who do not know the author, I would like therefore, to introduce him as clinician, teacher, scientist, writer, preacher, thinker and poet (Arabic and English), all with no small measure of success.

Dr. Abdul Rahman Al-Awadi

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WHAT IS ISLAMIC MEDICINE?

WHAT IS ISLAMIC MEDICINE?

The name "Islamic Medicine" is in use again.. denoting more than historic connotations. A movement of "Islamic Medicine" has erupted in Kuwait, which until the time of writing has held two international conferences on Islamic Medicine and is itself being legally transformed into the "International Organization of Islamic Medicine". Private money has been donated to establish its headquarters (Center of Islamic Medicine) in Kuwait, and widespread international response arose to affiliate to or link up with the Organization.

In the books on History of Medicine, "Islamic Medicine" refers to the progress of medical knowledge that took place during the Islamic era of human civilization. During that period that started from the late seventh century almost to the seventeenth, Islamic civilization was "the" civilization. If human progress is likened to a a chain, then Islamic civilization on the one hand and the Renaissance and contemporary civilization on the other are adjacent rings. Without its timely appearance that link could have never materialized, and humanity might have had to start all over again in more than one field of knowledge. The Islamic era was a bridge over the gap that has come later to be called the European dark ages.

The early times of Christianity, the times of martyrdom

and persecution and the need to live as an underground fraternity, were drastically terminated when Emperor Constantine embraced Christianity and Christianity become the official state religion. The oppressed on one day became the masters of the next, and the change was followed with an aftermath of strong emotionalism. During the process the power of the Church grew so much that it dominated all aspects of life. Although tending the poor and the sick and the rise of monastic medicine constituted Christian traditions (following the example of Jesus who aroused the dead, healed the sick and touched the lepers), Medicine as a whole soon became a religious affair and therefore taken into the monopoly of the Church. Religious furvor and church authority confined medical practice to the realm of faith-healing, the use of incantations and hand laying and visiting the shrines of patron saints to whom some sort of medical specialization was accorded, depending on the site in their body which had received torture or fatal injury at their martyrdom. Because St. Agatha had her breasts cut with iron tongs she was declared patron saint for women with breast cancer, and because St. Erasmus used to be tortured by putting a bowl containing burning coal on his head, he became patron saint and healer of headache. In this atmosphere not only did quacks abound and flourish, but scienitific progress was impossible. Medicine was branded as a godless science because it did not follow in the ways of God.. and whereas a pinch of dust from the shrine of a saint would be good treatment for a number of diseases, seeking the help of a doctor would amount to heresy. In the same spirit older books containing all fruits of Greek civilization were sought and burnt, apart from the little that was smuggled and hidden by the few monks who were aware of the tragedy. A rare exception was the writings of Galen, because he had expressed the view that the body was the

vessel containing the spirit .. and when the body died the spirit did not. This view coincided with Christian teaching, and this lead to the overprotection by the Church of all Galenic teachings which nobody dared to challenge for one thousand years.

Such was the prevailing climate in Europe when Islam started and its holy book — the Quran started with the word: "Read!". What followed is history .. a glimse of which will be further revealed in the next chapter of this book.

To revisit and rewrite History is good in several ways. To Muslims to read their history is like connecting a tree to its roots. Without this process a tree is merely a log of wood but no shade or fruit or fragrance or indeed life. It seems that for centuries Muslims were denied access to their past, thanks to both despotism and colonialism. Orientalists were on the whole more interested in their political, intellectual and psychological warring against Islam than in seeking the truth and revealing it intact. It is only recently that the human race became sober to the fact that the only opts it faces are peace or annihilation, and that peace cannot be founded on lies! The Western gender role of superman is thinning out .. and the notion is dying of "We, versus the others".. "We" representing all that is good in the past, present and future, and "them" the straight opposite. In one generation the pride over being colonialist has given way to a feeling of shame of the near past. Even the scourge of the "Crusades" that has lurked over the West and brainwashed it for so many centuries is not as taken for granted as it has always been. Many more people today than St. Francis of Assissi in his day are beginning to realize that Christianity was one thing and the Crusades were another. Many western writers are now appaled at the atrocities committed by

troops who related themselves to Christ.. and the emerging knowledge of the fact that the "crusades" were colonialist and not religious wars is already alleviating old prejudices and bitterness. Even the Catholic Church has declared that information about Islam has to be reviewed and corrected .. and called for an Islamic-Christian dialogue.

It is no wonder that time is opportune to review history .. including History of Medicine.

"Islamic Medicine", however, is not a matter of History only. It is also a matter of Medicine! Islamic Medicine is a medicine with a faith. It cannot disengage itself from the teachings of Islam especially those that relate in one way or another to matters directly bearing on health and illness, personal hygiene, communal hygiene, nutrition, physical fitness, sex life, aspects of reproduction, menstruation, pregnancy, lactation, infectious disease and so on. Islam is an all encompassing code of behaviour and many of its relgious "do's" and "dont's" have to be observed by the Muslim physician treating Muslim patients.

Given our current medical curricula and text books, there is a feeling that something is missing in the preparation of our medical student to be the Muslim doctor.. if only to satisfy a need of the society.

On the applied side, there is concerted effort to look up the items of the pharmacopoea contained in the writings of authorities of the Islamic era and restudy them by means of modern scientific methodology and equipment. Studies are already underway, and more than one funding agency have expressed their support. There seems to be good potential in

that direction .. spurred probably by known high iatrogenicity of synthetic drugs, and by the need to probe other ways to tackle hitherto obstinate illnesses such as cancer.

Last but not least, reference should be made to the train of new achievements in scientific discovery and biomedical technology. Vast strides have been made and more will follow at an accelerating pace. The test-tube babies technology has brought into reality situations never known to mankind before, and not covered by time honoured rules of maternity, paternity and inheritance. Breaking the genetic code was followed by the technology of recombinant DNA and genetic engineering with all its welcome and unwelcome potentialities. Organ banks, embryo banks and banks of frozen cadavres in safe deposit awaiting later thawing are no more science fiction. Choic of fetal sex, cloning, gene manipulation and pharmacologic control over personality are with us or knocking at our door.
With all these scientific spoils old codes of behaviour are supplanted by new .. and old ideologies are clearing their way to modern ones. As far as Muslims are concerned, new situations have arisen that do not lend themselves easily to the four sources of jurisprudence: the Quran, the Prophet's traditions, analogy and consensus. New Islamic rulings have to be formulated. Since knowledge has indeed advanced beyond the comprehension of the specialist jurist all by himself, a joint effort is mandatory on the part of Muslim jurists and scientists all alike. Modern times emphasize the need for an Islamic Code of Medical Ethics .. or else the profession — and ineed all humanity — will drift into deep waters under the sole mercy of solid, cold and achievement-oriented academic progress alone.

HISTORIC GLIMPSE

HISTORIC GLIMPSE

Reviewing western works on the history of Islamic[1] Medicine, the Muslim scholar cant help feeling that it has not been rendered proper service . Some western authors are overtly hostile not only to Islamic Medicine but to Islam as a whole and to the Prophet Mohammad (P.B.U.H) at whom they look with a hating eye. Others tackle the subject without prejudice, but their non-belief in Islam as a God-sent religion denies them the proper appraisal of Islamic civilization, one aspect of which is Islamic Medicine. All parties, however, are unanimous that Islamic Medicine did successfully subserve two main functions:

1. The preservation of Greek Medicine over a period of about ten centuries. Had it not been translated to Arabic it would have certainly been lost.
2. The growth of Medical art and knowledge by the efforts of the medical men of the Islamic Empire.

The fruits of both endeavours were reaped by Europe at the beginning of the Renaissance, and constituted the foundations upon which modern European science was built.

ARABIAN OR ISLAMIC? . . OR WHAT ?

Many western authors emphasize the fact that a number of leading figures of Islamic Medicine were non-Arabs and/or

non-Muslims, they comment on the term 'Arabian Medicine' often used in the literature, by saying that it was neither Arabian nor Islamic. As a matter of fact the term 'Arabian Medicine' is used synonymously with 'Islamic Medicine' only to signify that it was written in the Arabic language. This language, being the language of the Qoran — God's book — and the Prophet Mohammad, became the language of the Muslim Nation: Arab or non-Arab. Many non-Muslim westerners think — or wish to think — that Islam is an Arabian religion, in which they are mistaken. None of them would describe Judaism as an Egyptian religion or Christianity as a Palestinian religion. Although the call of Islam started in Mecca, its first enemies were Arabs including some members of Quraish, Mohammad's own tribe, who bitterly fought Islam. Some of the earliest Muslims on the other hand were non-Arabs, including Bilal the Etheopean, Sohaib the Roman and Salman the Persian whom the Prophet described *as: "Salman is one of us: the members of the House (of Mohammad)".*

Islam is indeed a universal message, addressing itself to mankind at large. In the Qoran God addresses his prophet by saying **"We have sent you but mercy to the worlds"** .. and **"We have sent you to all peoples"**. From the outset the Prophet declared that *"All people are as equal as the teeth of a comb"*. The question of Arab status in Islam was clearly dealt with in the words of Mohammad *"There is no virtue to an Arab over a non-Arab nor white over coloured except by the fear of God"*. The words of the Qoran say : **"Behold ..all people.. We have created you from a male and a female and made you nations and tribes so that you may get to know one another .. Indeed the noblest of you before God is the best in conduct".**

The Muslim State practically started in 622 A.D. through the Hijra (flight) of the Prophet from Mecca to Madina. In less than a century the Muslim Empire comprised more than half of the 'then' known world, and extended from the borders of China to Spain and the south of France. Those lands entered into Islam and poured into its mainstream whatever cultural heritage they possessed that was not opposed to the teachings of Islam. It was upon this substrate of knowledge derived from various origins-Greek, Roman, Egyptian, Indian, Persian and even Chinese etc... that the Muslim mind worked and developed to extensive magnitudes. We see no validity to the charge that Islamic science was based on other peoples' sciences.. for those same other people before Islam, themselves became the Muslims when they saw its light. And what nation or civilization on earth can claim that it built its knowledge on no foundations belonging to people who preceded them. Can we ever belittle the scientific rise of America because it evolved from European science?! And has not scientific progress over history been a continous process of growth and development?. And who in his senses would say that there is no American science on the grounds that its figures came from various European and other countries?.

It should be clear, however, that no people or individual were converted to Islam by force. That would not have complied with the Qoran "**no compulsion in religion..** and — addressing the Prophet: "**Had your God so wished all the people on earth would have been believers.. do you then propose to compel people into becoming believers?**".

Indeed not. And by definition the Muslim society is not strictly a society of Muslims. Some of its citizens would elect

to remain Christian or Jew, and these are named The People of the Book".. referring to their belief in God's Bible and Torah. The legal principle applying to the Christian and Jewish members of the Islamic scociety is "They have the same rights and owe the same duities (as we do)". Their freedom and places of worship are protected by Islamic law. They have to pay a tax called "Jizia" in return to their exemption from military service (when Abu Ubaida vacated Homs he returned the Jizia to its people), and it did not apply to the needy. On the other hand they did not have to pay the Zakat tax which Muslims paid, roughly 2.5 percent of hoarded capital annually. It was usually therefore more money saving not to be a Muslim, yet the majority chose to adopt Islam.

The Islamic attitude towards non Muslim minorities is a great asset to Islam, and was certainly a major cause for the conversion of many, and for the unhampered role of those who did not, in contributing to their best to the rise and advancement of Islamic civilization.

As a religion Islam does not put itself in an attitude of conflict towards other God-sent religions. The word Islam literally means surrender (to God). God's guidance has been sent through a succession of prophets and messengers who are all revered by a Muslim who sees Islam as the last link in a chain. The Qoran reads: **"Say (O' believers) we believe in God and in that which has been transmitted to us, and in that which has been transmitted to Abraham, Isma'il, Isaac, Jacob and the tribes; and that which was given to Moses and Jesus; and that which was given to the prophets from their Lord: we do not discriminate between them and to Him we do surrender".**

Muslims and the People of the Book can eat each other's food, unless specifically prohibited, like pig and alcohol. A Muslim can take a Christian or Jewess for a wife, and she has the right to stick to her faith. Although equal to Muslims under Islamic law, their private affairs (marriage, divorce, inheritance, etc..) are settled according to their own religion. Equality is not only in the court room.. but those minorities also shared the benefits of the principles of social security and "welfare state" laid down since the earliest days of Islam. One day the caliph "Umar' saw a blind old jew begging. He took him by the hand to his own house and gave him what he needed, and sent orders to his treasurer: "Look after people like him. It would not be fair to take from him (the Jizia) when he is young and neglect him when he is old". It was this tolerance of Islam that enabled all its subjects, Muslim or non-Muslim, to unfold their whole potential in the field of scientific progress. Without this virtue in the Islamic system those minds had to face either barrenness or immigration: neither was the case.

Muslim universities teamed with non-M uslim students.. a notable figure amongst whom was Gerbert d'Aurillac in the Xth century, who became the first French Pope under the title of Sylvester II; he spent three years studying in Toledo with Muslim scholars.

the very call of Islam entailed a challenge to man to explore the mysteries of the universe. The first word of the Qoran addressed the Prophet : "**Read!**" .. and it includes such verses as: "**We will show them our proofs in the horizons and in themselves..dont they see?**".. and "**Are those who know equal to those who do not? Or are darknesses the same as light?**".. and: "**Amongst His**

worshippers, the learned fear Him most".. and: **"Read.. in the name of your Lord who has created, created man from a sticky material. Read.. and your Lord the most gracious is Him who taught with the pen.. taught man what he did not know".**

The instructions of the prophet also stimulate the mind to pursue knowledge.. for in his words, *"The pursuit of knowledge is a duty on every believer, man or woman".* Very impressing are the words of the prophet *"Seek knowledge, even if you have to travel to China",* and *"The ink of scholars is equal to the blood of martyrs".*

A main feature of Islam is the absence of clergy. Islam is equally shared by all Muslims and no one can claim a superior status or mediation between man and God. Men are equal whether they specialize in medicine or in jurisprudence. Whereas Albutt, the historian, has stated: "When Christianity became the state religion, it became narrower and harsher than paganism had been, and was used to stifle medicine and all the sciences", we find no such situation in Islam. In fact many of the Muslim scientists wrote also in theology and jurisprudence. Of course this is no fault of Christianity but of those who acquired the monopoly of being its sole custodians. Because Islam is a complete system of life, including law, government, economic and political principles as it does worship and character, the schism between state and church is not known to Islam.

It is therefore obvious that the coming of Islam was an uplift to scientific progress which was almost completely blocked in Europe.

TOPICS OF A MEDICAL NATURE IN ISLAM

The main sources of Islam are the Qoran and the Prophet's Tradition (followed by analogy and the unanimous concensus of Muslim scholars).

THE QORAN

Although the Qoran is not in itself a book of science, some of its verses do attract the attention of the scientific reader. An example that attracts the medical scientist's attention is the verse reading: **'He whom God wishes to guide, God opens his chest to Islam. and he whom God wishes to render astray, He makes his chest oppressed and uneasy as if he is ascending higher up in the sky'** .. a clear hint to the diminishing oxygen tension in high altitudes, and a sensation felt by air travelers in the days before proper cabin oxygenation and pressurization. Certainly Mohammad had no chance to endure this experience.

When the Qoran says: **"Let man look from what he was created... he was created from a jetting water originating between the ribs and the backbone"** .. the modern embroylogist certainly wonders, because this is exactly the site of the gonad (testicle or overy) in the early embryo before it migrates to its lower location in the body.

"Does Man think We will not re-assemble his bones?", says the Qoran.. **"Indeed We are capable of reconstructing his finger"**. Knowing that this bears such a detail as the finger prints that carries the personal identity of an individual, the mind certainly pauses to ponder.

Talking of Man again the Qoran says "**was he not a vicid portion of ejected semen .... from which He (God) made the pair : male and female?**". That this was said over thirteen centuries before we realised that it is in the semen that the determinants of masculinity or feminity lie (Y bearing or X bearing spermatozoa) certainly is surprising.

It was not only in medicine that the Qoran includes such thought catching statements but also in other branches of science. As Mohammad could'nt possibly have acquired this knowledge hitherto unknown to his times, this was additional evidence to the modern mind that Qoran was not Mohammad's own composition, as held by non-Muslims.

PROPHETIC MEDICINE

Many sayings of the Prophet give advice or instruction bearing some medical implications. Some scholars collected these under the name "Prophetic Medicine". Examples of sayings (hadith) of the prophet with medical or hygienic applications are:

1. *"Cleanliness is part of the faith".*
2. *"Do not go into a land if pestilence is there. But if you are already in it, dont go out".* This depicts the idea of quarantine.
3. *"Marry from afar (i.e. avoid close relations), so as not to become feeble".* The risks of consanguinity in relation to genetic disease are now well known.
4. *"To whatever illness God has made, God has made a cure".* Which means that no illness should be regarded as hopeless, and that research should stop at no limit.

5. *"The strong believer is better than the weak believer".* Stressing the value of physical fitness.

6. *"Never has the son of Adam filled a worse vessel than his stomach. But if he must, he should assign one third for his food, one third for his drink and one third for his breath".*

ISLAMIC LAWS WITH MEDICAL IMPLICATIONS

Ablution for prayer several times a day and a full bath after intercourse for both sexes and after menstruation have been prescribed by Islam. The use of the "sewak", a form of a tooth brush from the frayed end of a plant stick was encouraged. People were dissuaded from attending group prayer if they had eaten raw garlic or onions so as not to bother others by their smell.

The washing of the urinary and gut outlets, or their thorough cleaning, is mandatory after urination and defecation. Circumcision of the male is one of the Prophet's instructions. Alcholic drinks are absolutely prohibited in Islam and so is pig meat.

Medical responsibility was recognised, evidenced by the words of the Prophet: *"Whoever treats people lacking the knowledge of medicine is liable (to pay compensation)".* In the field of family planning there is evidence that wilful avoidance of pregnancy was permissible for a variety of reasons including financial factors, maternal illness, breast-feeding a baby or even the preservation of good physique by the woman. The method known in early days was withdrawl (coitus interrruptus) which was permitted by the

Prophet in answer to a question. Contraception, however, necessitates mutual consent of the couple. On the other hand, abortion is prohibited in Islam except to save the life of the sick mother if incompatible with continuation of pregnancy.

The noble feelings that in recent times underlay the Geneva Convention and the Red Cross and allied movements have their support in Islam and will be discussed later.

The Evolution of Islamic Medicine naturally followed two phases:

1) Translation of previous knowledge.
2) The body of Islamic Medicine.

We find it convenient to tackle the subject under these two headings, although they are not quite separate, for some of the chief translators were also imminent physicians. Each category will be covered by introduction of some of its chief personalities.

THE TRANSLATION MOVEMENT

As soon as the borders of the Islamic Empire exceeded Arabia, an active movement for translation was sponsored by the Umayyad Caliphs. Translation was either direct from Greek or via the Syriac translations. It should be noted that the Syriac schools all over the empire remained open and functioning, and the refugee Nestorian scholars, having gained peace and confidence under Islam, enriched Arabian culture by translating the treasures in their custody to Arabic.

A dramatic contrast was felt to the behaviour of ignorant Basilei emperors who destroyed Greek knowledge on the pretext of its paganism. It was Emperor Theodosius II who destroyed the North African schools and issued orders to destroy the famous library at Alexandria (and not the Muslim army as sometimes erroneously alledged). Emperor Zeno closed the Edessa school, and Justinian closed the Platonic school in Athens and several in Alexandria.

The avidity of the Arabs for the knowledge stored in the opened countries was extreme. It is documented that some translators were paid an equal weight of gold to their translated manuscripts. The prejudiced idea about the Arabs as conquering savages melted away when some defeated Christian princes would find "the right to collect Greetk writings" as one of the peace terms dictated by the Muslim leader, or an Arab caliph choosing some rare Greek book as the present of his choice from a European king.

The first to lead this Translation Movement was Prince Khalid Ibn Yazid Ibn Moaawya, who recruited scholars from Egypt to translate from Coptic and Greek. He himself was a chemist (the word al-chemy is derived from Arabic) and had writings on chemistry and astronomy.

Interest did not wane through the rule of the Abbassids whose capital was Baghdad, or the western Umayyads in Spain. In 830 A.D. Calif al-Mamun founded Bayt al Hikmah (House of Wisdom) in Baghdad, which is considered amongst the main events of the middle ages. Its main concern was foreign knowledge, and around it the Baghdad

School evolved, which certainly restored the continuity of human knowledge, interrupted by the fall of Rome, and handed it over to the Europe of the renaissance.

Amongst the main translators and compilers were:

1. The Bakht Yishu family .. six generatations of Christian doctors of the Jundisapur school. Their first, Jirjis was summoned to treat the Abbassid Caliph Al-Mansur, while his grandson, Jibra'il served Harun Al Rasheed for 23 years. Jibra'il was very famous and very wealthy out of his profession.

2. Abu Yousof ibn Ishaq Al Kindi (809 - 873 A.D.): Born in Kufa he later came to be reputed as the first philospher of Islam. He was selected by Al-Mamun to translate Aristotle and other Greek works. He excelled in medicine, architecture, arithmatic, logic astronomy and music and compiled some 250 books in these branches. He wrote against the efforts to transform metals to gold which was the preoccupation of chemists in that era.

3. Hunayn ibn Ishaq (810 - 873): Another physician who mastered the Syriac, Greek and Persian languages. A member of the Abad tribe from Hira, he felt insulted when his early teacher Yohanna ibn Massaweih re-diculed him by saying: "What have the people of Hira got to do with medicine?". Following which he embarked on self teaching and became the genius of his day. He was physician to three Abbassid caliphs, and it is said that for his translations Al-Mamun paid him their weight in gold.

4. The Qorrah family .. mainly Thabit ibn Qorrah (836 - 901) and his son Sinan. The latter is credited by

organising medical services for prisoners and remote areas, as well as founding the Muqtadiri Hospital in Damascus.

5. Ibn Juljul of Cordova (976 - 1009) who translated Dioscorides' works.

6. Ali ibn Rabban: Born in 808 and converted to Islam in 850. His famous book "Firdous al Hikmat" includes studies in philosophy, zoology, embroyology and psychology.

7. Amongst the main Arabic works in the history of medicine are "Tarikh al-Hukama" (History of Wise Men) by al-Qifti (1277) and Tabaqatul Atibba" (Classes of Physicians) by ibn-abi-Ussaybia (1242).

THE BODY OF ISLAMIC MEDICINE

Under this heading we will comment on the general features of Islamic Medicine, and then have a closer look at it through a brief study of a few imminent physicians and their main works.

GENERAL FEATURES OF ISLAMIC MEDICINE

1) The Islamic doctrine of harmony and balance made the Hippocratic and Galenic views on harmony and balance between humours and natures acceptable to Muslims. Derivations of the Arabic verb "wasana" with connotations meaning balancing, weighing and equilibrium

appear in the Qoran in 23 sites. The easy integration of Hippocratic (and Galenic) medicine in Islamic Medicine contrasts with the rejection of other Greek schools of thought such as the Epicurean or the Sophist that were contradictory to Islam and its doctrines expressed by Abraham and conveyed through Moses, Jesus and Mohammad.

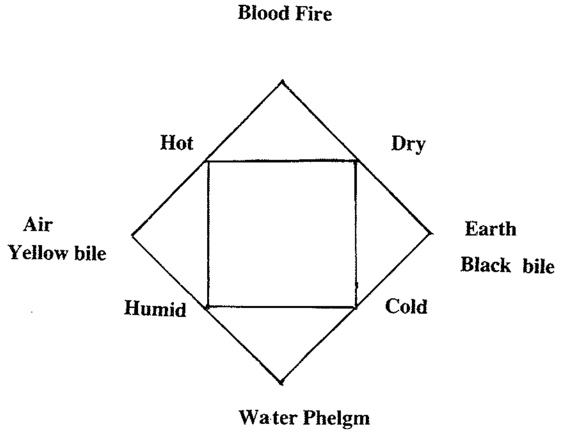
The Islamic concept maintained that the Universe was the marcocosm and Man the microcosm. The "materia prima" of both comprised the four basic "elements" viz, fire, air, water and earth. These represent rather abstract concepts different from what we refer to through our usage of these words in our everyday life and to get them separately in this pure and absolute form is only a theoretical assumption. There are also four basic "natures" cold, hot, dry and humid. The four "humours" blood, phlegm, yellow bile and black bile are composed of the elements and natures and each is related to two elements and two natures. The humours forming the body of an individual and the way in which they are mixed together determines his individual "temperament" (See diagram). Normal proportions give a "balanced" individual. Disturbance of normal balance gives various simple or composite abnormalities in temperament. Dominance of fire leads to a hot temperament; of water to a cold one. Dominance of air and fire gives a "hot-wet" temperament and so on. It was the concern of the medical profession to diagnose these departures from normal, the study their aetiology (e.g. food, drink, weather, occupation etc..) and the methods of restoring the health back to normal by diet, medication or any other means endowed with contrary features.

2) Matters pertaining to health and hygiene were incorporated in the religious instructions of Islam; and the challenge of the Qoran to look for signs (Ayat) of God's ability in the human being, gave Medicine a religious aura. It is no wonder that the physician was — and still is — referred to as "Hakeem" i.e. wise man. The physician rarely specialised in medicine alone . . but was versed in several aspects of science, which made the Hakeem a symbol of the unity of knowledge.

3) Teaching was mainly carried out in hospitals comprising schools. These the Muslims quoted from Persia (Jundisapur) and Byzantium. The Baghdad Hospital was established by Harun-al Rasheed (8th century) who recruited Jibra'il ibn Bakht-Yshu from Jundisapur to head it. This school remained the sun of knowledge for East and West for several centuries. Amongst later hospitals was the "Adudi" in Baghdad, "Rayy" Hospital (headed by al-Razi before coming to Baghdad)l "Nuri" (after Nur-el-Din Zanji) in Damascus and Aleppo, "Nasiri Hospital" in Cairo by Salah el Din (Saladdin) and "Mansuri or Qala'un Hospital" in Cairo. On the latter hospital we will give a descriptive report at the end of this chapter**.

Other hospitals of no less magnificence were founded in Spain, north Africa and the rest of the empire. "Marastan" in Spain is a derivation of the Persian word "bimaristan."

4) An extensive materia medica was — and still is — a major contribution of Islamic Medicine, and represents a growth over the Persian, Indian and Graeco-Alexandrian heritages, on account of the knowledge of a richer fauna and



Elements, natures and Humours

of the evolution of Islamic chemistry. Various preparations were known and given names. Control of new drugs was enforced by law, to make sure of their efficacy and safety. A druggist had to have an official permit to practise and pricing of medicines by the authorities was known especially in Andalusia. Some of the imminent druggists were also physicians. A para-medical druggist profession is represented by the "Attar" still known today, who dispenses simple drugs for minor ailments. Another para-medical institution was the public bath, that served the function sof massage and other forms of physiotherapy.

5) Anatomy and Physiology gained significance as they showed the sings (Ayat) of God in the creation of Man. Anatomy was mainly founded on translation of Galen and dissection of apes since Islamic law ensured the right of the dead to be properly buried.

There is clear evidence, however, that dissection was carried out in the appropriate privacy of teaching institutions. Ishaq ibn Hunayn, talking about a certain muscle at the back of the eye in animals, commented "and it is not found in the human eye." Some works carry the notion that dissection proves this or disproves that. The descrip-
tions. Ishaq ibn Hunayn, talking about a certain muscle at the back of the eye in animals, commented "and it is not found in the human eye." Some works carry the notion that dissection proves this or disproves that. The descrip-
tion by Ibn-al Nafis of the pulmonary circulation was unprecedented (erroneously ascribed to William Harvey) and constitutes a major departure from Galenic anatomy.

6) Infectious diseases. The basis of isolation and quarantine

were known. Selling the clothes of the patient was prohibited. Al-Tabari described the scabies bug and stated that it was infective. Vaccination against small pox using scabs from the lesion was quoted from China, and it was through Lady Montague the wife of the British Ambassador to Turkey that the idea was conveyed to England before Jenner built his fame.

7) Mental illnesses were treated in special institutions, patients were given care and comfort, with perfect attention to their cleanliness and nutrition. Music therapy was used in treatment. Hibatu Allah ibn Jamaa and al-Hassan-ibn-al-Haitham each wrote a book on the therapeutic value of music.

8) Medicine. Muslim doctors developed excellence of clinical observation of signs and symptoms, complexion, pulse, urine examination and lengthy books were written on each of these. The self healing power of the body was well recognised, but helped when necessary with drugs, blood letting, nutrition, climate etc. Treatment by suggestion was practised.

9) Surgery entailed the most important progress made by Muslim doctors. Anaesthesia was known in the form of a drug made from a plant called "darnel" given until the patient lost consciousness. Numerous surgical instruments were designed that survived over the ages with only minor modifications. The richest source is the book called "Kitab al-Tasrif" by the legendary surgeon Abul Qassim Al-Zahrawi (Albucassis) of Andalusia. Complex operations were designed ranging from Caesarean section to catarct extraction. Bone setting and manipulation was an

advanced art, much of which still remains. Dentistry included the carving of false teeth from bones of animals. Although surgery had been looked upon as inferior to medicine, it was its rise under Zahrawi and others that made it a recognised and respected speciality.

10) Opthalmology became an important speciality and the opthalmologist was known as "al-Kahhal." "Tadhkirat al Kahhalin" by Ali-ibn-Issa, and "Nur-al-Ayn" by Jurjani elucidated the proper anatomy and physiology of the eye, and were not outdated till the 19th century. The first operation for cataract by suction of the lens was carried out in 1256 by Al-Mahusin.

The very call of Islam entailed a challenge to man to explore the mysteries of the universe. The first word of the Qoran addressed the Prophet: "**Read!** and it includes such verses as: **We will show them our proofs in the horizons and in themselves .. dont they see?** and **Are those who know equal to those who do not? Or are darknesses the same as light?** and **Amongst His worshippers, the learned fear Him most** and: **Read.. in the name of your Lord who has created, careated man from a sticky material. Read.. and your Lord the most gracious is Him who taught with the pen.. taught man what he did not know.**"

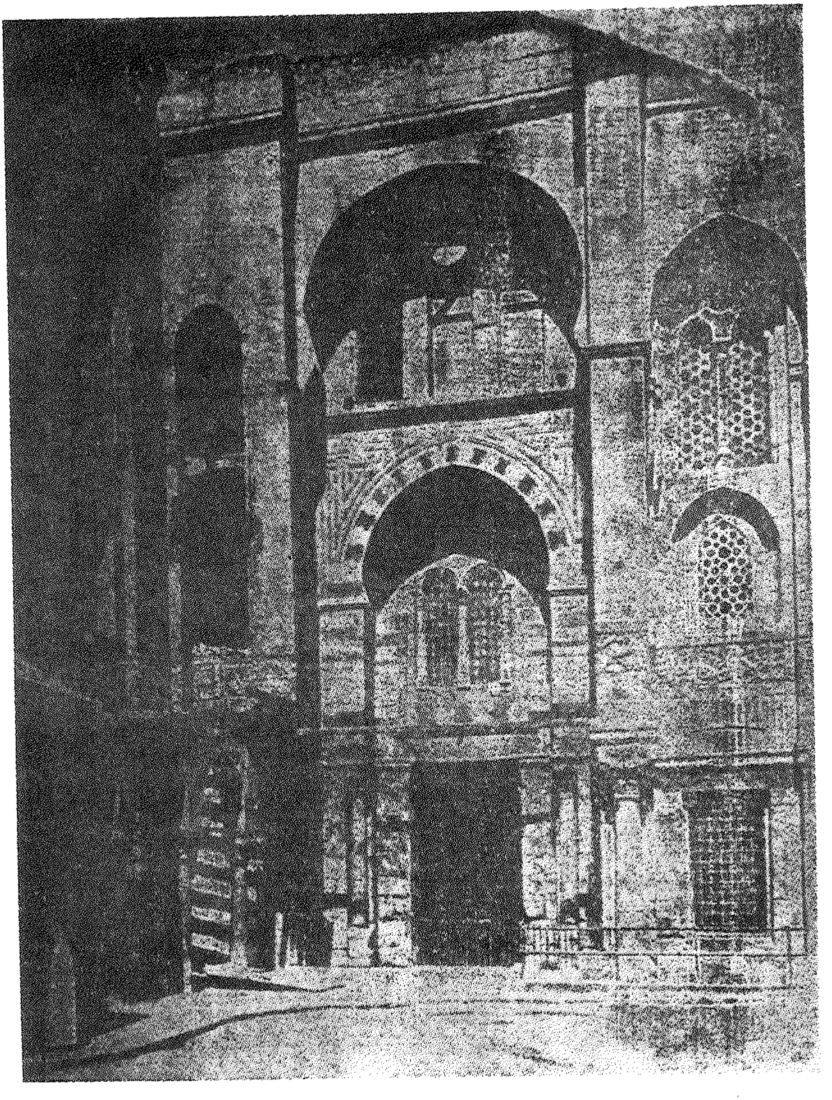
The following quotation from "A History of Medicine" by R. Major, Vol. I, 1954, published by C. Thomas, is quite illustrative of the high standard of Islamic medicine and its institutions:

"For five centuries, the Islamic Empire had enjoyed the highest civilization and culture in the world. During an age when Europe was floundering in ignorance and barbarism.

when the mass of the people was unlettered and untaught except for a gesture by Alfred the Great in England and by Charlemagne on the Continent, we find the Islamic ruler establishing schools and libraries on a munificient scale. Many patrons of science had libraries with 100,000 volumes or more. The medical library of the Mansuri Hospital in Cairo was so large that it employed six librarians. There were immense collections of books at Baghdad, Bokhara, Cairo and Cordoba.. ..

"Of all the striking examples of a high culture, none were more striking than the hospitals which Islam founded. Baghdad, Damascus, Bokhara, Cairo, Cordoba and Seville (Eshbelia) all had, not one hospital, but many hospitals each, which utterly amazed occasional European visitors.."

"The greatest and most magnificent of all was the famous Mansouri Hospital in Cairo, completed in 1284 A.D., which was endowed with an income of $100,000 a year, contained four great courts each with its fountain in the center, separate wards for each disease, lecture rooms, an outpatient department with arrangements to visit patients in their homes, a mosque where 50 readers recited the Qoran day and night, musicians and storytellers to entertain and comfort the sick. Each convalescent patient received the equivalent of 12 dollars on his dismissal from the hospital."



Facade of al Mansouri Hospital (built by Sultan Qalaoun al Mansour — Cairo, 1284)



22. Stores
23. Male wards
24. Female wards
25. Infectious diseases — Male
26. Infectious diseases — Female
27. Nurses station
28. To doctors' quarters
29. Kitchen premises
30. Mortuary
32. Fire combat equipment
33. Chief doctor's office
34. Surgery
35. Ophthalmology
36. Prayer mosque
37. Meetings
38. Isolation
39. Psychiatric beds — Male
41. Psychiatric beds — Female
42. To terraces
43. Basins and toilets

Plan of al Mansouri Hospital

SOME ISLAMIC MEDICAL FIGURES

We will now propose to introduce some of the main figures in Islamic medicine. It is difficult in this space to write in detail, or to give a more complete account of all the physicians of excellence in Islamic history.

AL/RAZI (Rhazes)

Abu Bakr Mohammad ibn Zakariyya, born in Rayy about 865 and grew up mainly concerned with music, physics and chemistry until he was over 30 years of age. A visit to Baghdad Hospital won him to medicine, in which he excelled and became director to Rayy Hospital before being summoned to head the Adudi Hospital in Baghdad and be court physician. Consulted on the selection of the site to build that hospital on, Razi ordered pieces of meat put in various places in the town and chose the site where the meat was least decomposed after a given time. [1]Al Razi became famous as practitioner, teacher, scholar and helper of the poor. His writings revealed genius and originality. He is supposed to have written 237 books, practically on all sciences, but his main interest was medicine. Although described as the Galen of the Arabs, he was quite independent and notorious for his detailed and exact case descriptions.

Among his contributions were the introduction of mercury compounds as purgatives (having tried them on monkeys), lead ointment, ligature with suture made from animal gut; he was the first to observe and record the reaction of the pupil to light, and emphasized that the treatment of fever should aim

at treating its cause. Amongst his chemical discoveries were sulphuric acid and alcohol (an Arabic word).

The Chief works of Razi are:

1) Al Hawi (Continens): with his other book, Al Mansuri, they remained the most highly esteemed medical books for several hundred years: It was one of the nine volumes constituting the whole library of the Paris Faculty of Medicine in 1395. It is a large encyclopaedia where his lucid case descriptions and ability to deduce the diagnosis and treatment are well illustrated.

2) His monogram on small pox and measles is famous, and Neuburger commented on it by saying: "On every hand and with justice it is regarded as an ornament to the medical literature of the Arabs. It ranks high in importance in the history of epidemiology as the earliest monogram on small pox, and shows us Rhazes as a conscientious practitioner, almost free from dogmatic prejudices, following in the footsteps of Hippocrates."

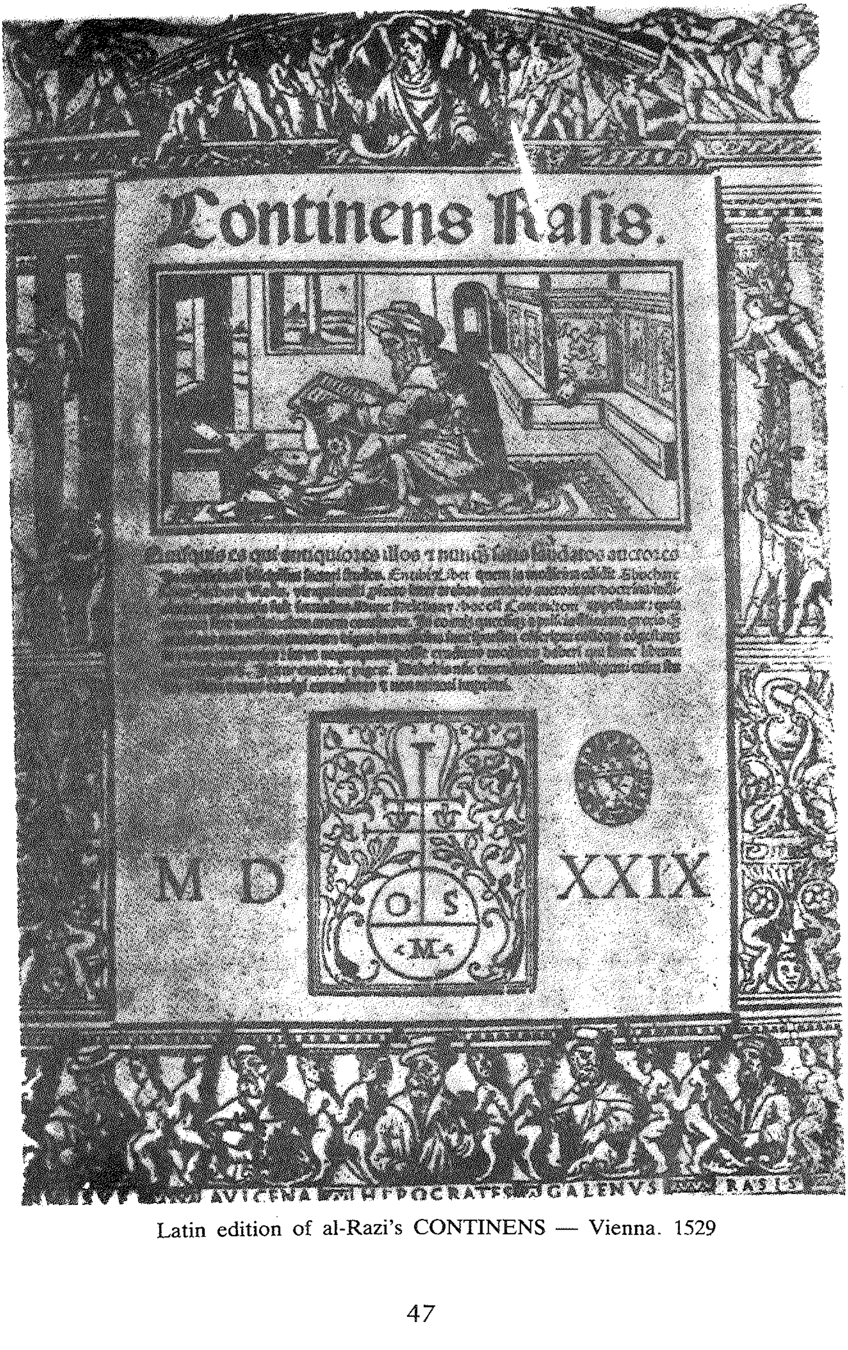
3) A monogram on "the 'stone of kidney and bladder' and the use of a lead catheter on account of its flexibility.

4) A monogram on "the illness that comes in spring upon smelling of roses" .. which alludes to allergy.

5) Al Mansuri .. written in Rayy and dedicated to Mansur ibn Ishaq the governor of Khurasan.

6) A book on quacks and their methods.

7) A book on spiritual medicine.



Latin edition of al-Razi's CONTINENS — Vienna. 1529

ALI IBN AL-ABBAS Al Majusi (Hali Abbas)

A contemporary of Al Razi. His famous book called "Kamil al Sina'aa fi al Tibb" (The Perfectly Accomplished in Medicine) was dedicated to Prince Adud al Dawla. He declared to have written it on account of the extreme conciseness of Hippocrates, lengthyness of Galen and high price of Razi's al Hawi. It is a perfectly systematised book including all aspects of medical knowledge, with perfect description of operations for tuberculous glands, tonsillectomy, aneurysm etc.. He was the first to write on a capillary network joining arteries and veins, and the effect of the lung movement in delaying the healing of tuberculosis. He also emphasized the ethical aspects of medicine. His description of the treatment of the fractured mandible is a masterpiece. About the pulse he said "the silent caller and the truthful messenger. As the heart and arteries have one beat, the movement of the heart is examined through that of the artery."

IBN SINA (Avicenna 980-1037)

It is difficult to write on ibn Sina with fairness in such a limited space, for he was a man of genius in several fields at a time. He won himself many titles:

"Al Sheikh Al Ra'is," (The Chief) "The second Teacher" (Aristotle being the first) and "The Prince of Doctors." Born in Bukhara, he learnt the Qoran by heart before the age of ten, and at eighteen he was so famous in medicine as to be appointed court physician, which fortunately gave him free

access to the royal library. Although born Persian, he became an authority on Arabic language and literature, and is considered amongst the renowned Arab poets. His reputation as philosopher is no less than that as physician. He also excelled in mathematics and physics. After extensive travelling and reading at an early age, he then made such original contributions to medical knowledge as to dominate medical teaching for several centuries. As a practitioner he emphasized that every disease must have a cause. He pointed out the role of dust and water in spreading illness, and was the first to describe philariasis. He described cerebral apoplexy and meningitis, differentiated central from peripheral fascial palsy, specified the diagnostic signs of pleurisy as we know them today and differentiated epileptic from hysterical fits. He elucidated infertility due to incompatibility, described false pregnancy and wrote on baby care. He was very interested in psychosomatic illness, and his story is famous, of observing the pulse of a young patient and noting the changes as he named the various districts of the city, the various streets in a certain district and the various houses in a certain street: to conclude that the underlying factor in his patient was love to a particular girl in that household.

Al Qanun:

This is the most famous work of ibn Sina, in five volumes dealing respectively with physiology, hygiene, pathology, therapeutics and materia medica. For six centuries (12th to 17th) it was the basis of medical studies in French and Italian Universities. The Qanun was translated to 30 languages. Fifteen editions in Latin and one in Hibrew appeared in the fifteenth century and reprints kept appearing until the early nineteenth century. Needless to say it held the same esteem in the Muslim world, and reviewing the literature we could



Hibrew edition of Ibn Sina's QANUN — Bologne University.

count 13 books whose subject was al Qanun, apart from several works on summarising it.

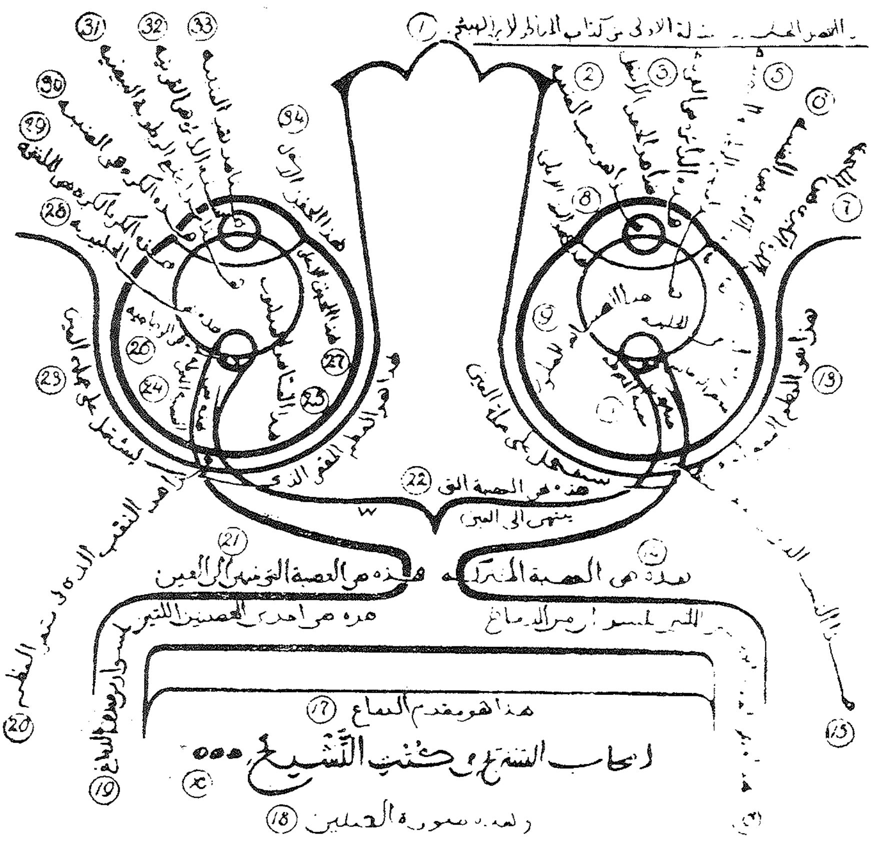
Ibn Sina has many other famous works e.g. Tibb Al-Qulub (Medicine of the Heart) and Al-Urjuzah fi Al-Tibb (Medical Poem) which used to be memorized by medical students.

IBN AL-HAITHAM (965-1038)

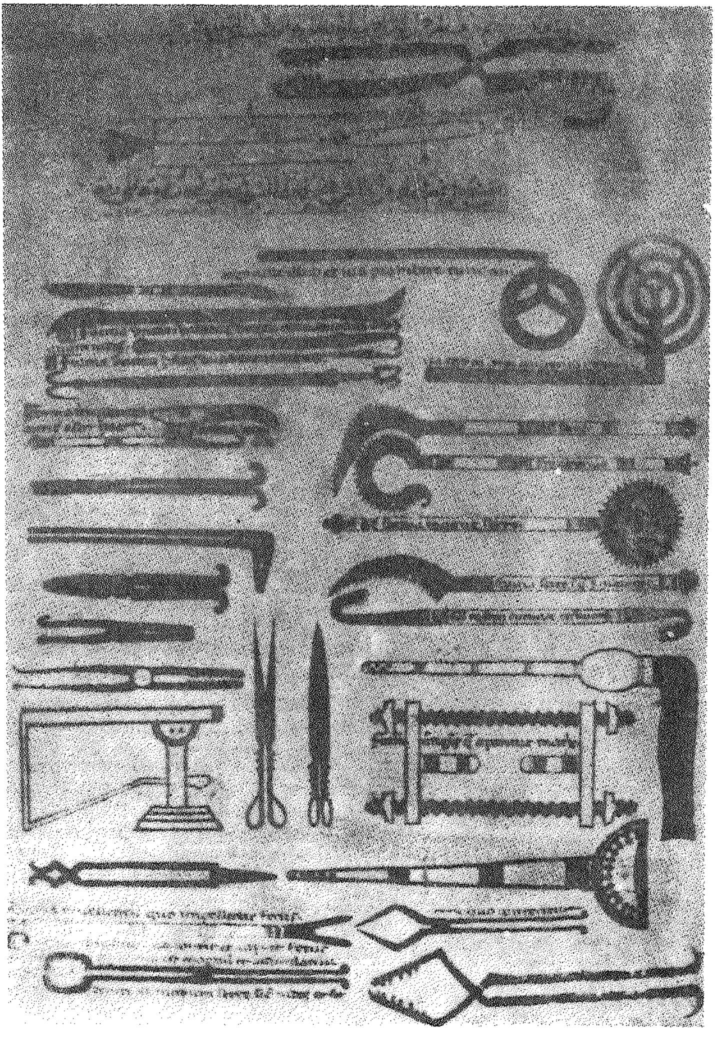
Born and educated in Basra, he moved to Cairo at the age of 30 years where he stayed for the rest of his life. He also was a man of many talents in medicine, architecture, physics, mathematics and theology. His fame derives from his pioneer work in optics. His book, Al-Manazer illustrated the defraction of light in the atmosphere and in magnifying lenses. He detailed the anatomy and physiology of the eye and the terminology he put is that still in use. He described converging and diverging lenses, laying the foundation to the use of eye glasses and microscopy. The components of white colour he demonstrated by his famous experiment: the fast rotating disc bearing cones of the component colours. He is also considered the father of modern methodical scientific research.

AL ZAHRAWI (1030 - 1106)

Abul Qassim Al Zahrawi (Albucassis) of Andalusia is considered the highest ranking Islamic surgeon, and was so famous that his portrait with those of Razi and Ibn Sina decorated the Cathedral of Milano.



Ibn al-Haitham's depiction of the optic tract
1. author's note — 2 & 33: pupil —
3 & 34: lower lid — 4 & 32: cornea —
5 & 31: aqueous humour — 6 & 30: iris —
7 & 29: conjunctua — 8: upper lid —
9 & 25: arachnoid — 10 & 28: lens —
11 & 24: optic nerve —
12 & 26: vitreous humour — 13 & 23: orbit —
14: optic chiasma —
16 & 19: optic bands — 17: forebrain



Some instruments of al-Zahrawi (ALBUCASSIS)

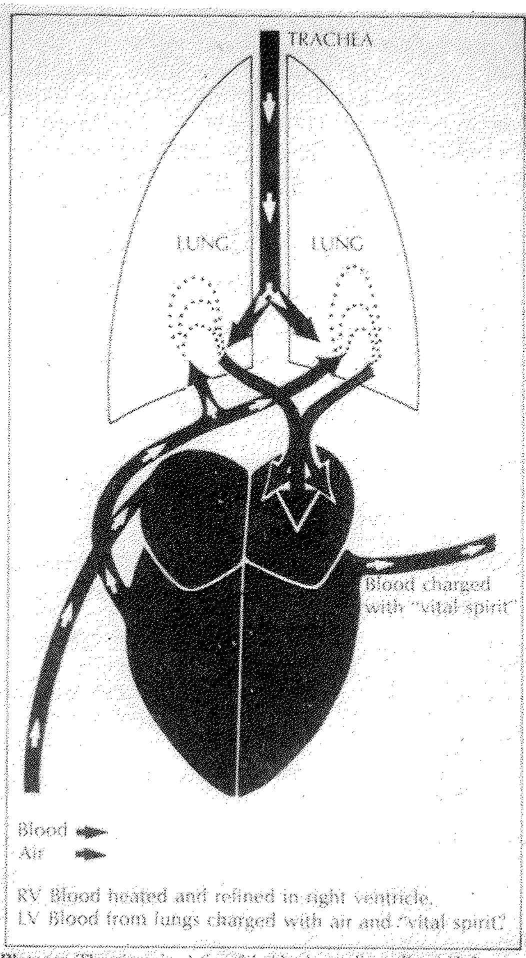


Plate 109. The minor circulation of the blood according to Ibn al-Nafis.

His book "Al Tasrif" became very famous for its surgical section, and included drawings of his surgical instruments. He made the study of anatomy a prerequisite for surgery, and carried out dissection of the human. He was the first to describe haemophilia, and to him Europe owes the unprecedented description of a large variety of surgical operations and the design of surgical instruments. His book remained to be taught until the seventeenth century.

IBN AL-NAFIS (1200 - 1288)

Born in Damascus, he settled in Cairo to be director of Al-Mansuri Hospital and Dean to its medical school. A great philosopher, theologian and physician, he was called 'The second ibn Sina.' Although celebrated since his death in 1288, it was only in 1924 that it was discovered that ibn al Nafis had been the first to discover the pulmonary circulation. This was one of the great discoveries in the history of medicine because it at once made Ibn Al Nafis be recognised by the West as the real predecessor of William Harvey rather than Servetus and Colombo who described the pulmonary circulation three centuries after Ibn al Nafis, and who probably found the views of ibn al Nafis through the translations of Andrea Alpago.

Some famous books of ibn al Nafis:

1) Al Shamil fil Sina'at Tibbiyya (The Comprehensive Work in the Art of Medicine).

2) Al Mujaz fil Qanun (Summary of al Qanun) and Tashrih al Qanun (Anatomy of al Qanun) .. two books involved

with ibn Sina's famous work. It was in these that he described the minor circulation.

Ibn al Nafis was of such calibre as to afford to depart from the Galenic views of ebb and flow of the blood, and to criticise Hippocrates and ibn Sina on some topics. It is of interest to relate that when Servetus published the views of ibn al Nafis about the pulmonary circulation and relating them to himself, the Church accused him of heresy for opposing the teachings of Galen, and Servetus was — with his book — burnt on the stake.

THE SPIRIT OF THE RED CROSS IN THE TEACHINGS OF ISLAM



Henry Dunant — founder of the Red Cross



The battle of Solferino that inspired Dunant to conceive the idea of the Red Cross.



Signing the First Geneva Convention — 1863.

PART I

BASIC CONSIDERATIONS

1. Islam, as conveyed by Mohammad — God's prophet and messenger — is the ultimate message of God to man. It confirms and supports all previous God sent religions. The new features about Islam as compared to its predecessors are

a) It addresses itself to all humanity and not to a certain people or tribe or locality.

b) It is the last of the series of God's messages by direct revelation from God to a human messenger.

c) It corrects certain erroneous concepts that vitiated the previous messages having been introduced into them by human error.

d) It lays the foundation of a legal system which is God's prescription concerning human interrelationships. The preeching of love, fraternity and morality— essential as it is — would never abolish the need of humanity of "Law." Both totality and flexibility are recognized features of Islamic jurisprudence.

2. Becasue Islam recognizes and revers previous religions, a muslim is in fact inclusively a believer in Jesus,

Moses, Abraham and all "links of the God sent chain of messengers. The Qoran — God's book revealed to Mohammad by Angel Gabriel — reads:

"Say ye: 'we believe in God, and the revelation given to us, and to Abraham, Isma'il, Isaac, Jacob, and the tribes, and that given to Moses and Jesus, and that given to (all) Prophets from their Lord, we make no difference between one and another of them, and to Him we are surrenderers (Muslims)." (2:136)

3. Inspite of divergence of opinion and difference in faith Islam never puts the muslim in a situation of 'muslim versus nonmuslim.' The muslim holds the "people of the scriptures" (christians and jews) as fellow believers who covered a long way towards Islam.. but stopped short of it. It certainly condemns the rejection by the jews of Jesus, accusing him of being a liar and imposter. It also differs with those amongst christians who maintain that Jesus is God, or the only son of God, or that he is nonhuman or ought to be worshipped. According to Islam, Jesus was created by God, into the womb of virgin Mary, by immaculate conception, without a father, and was sent as God's word and messenger to the Israelites to guide their souls and correct their wrong doings. Some believed in him and became christians: others fought him and called for his death, and those remained jews. Both muslims and christians agree on the fact that when Jesus was last seen on earth he was alive. Christians believe that Jesus was killed and resurrected, while muslims believe that his enemies did not kill him — although they thought they did — and that God took Jesus up unto Him.

About Jesus the Qoran says:

a) "Christ Jesus the son of Mary was (no more than) an apostle of God, and His Word, which he bestowed on Mary, and a spirit proceeding from Him: so believe in God and His apostles. Say not "three: desist: it will be better for you.For God is One God, glory be to Him (far exalted is He) above having a son, to Him belong all things in the heavens and on earth, and enough is God as a Disposer of affairs."

b) "And remember, Jesus, the son of Mary, said: 'O children of Israel: I am the apostle of God (sent) to you, confirming the Law (which came) before me, and giving glad tidings of an apostle to come after me, whose name shall be Ahmad. But when he came to them with clear signs they said, This is evident sorcery'." (61:6)

c) "Behold! the angels said: O'Mary: God give thee glad tidings of a word from Him: his name will be Christ Jesus the son of Mary, held in honour in this world and the here after, and of (the company of) those nearest to God. He shall speak to the people in childhood and in maturity, and he shall be amongst the righteous.' She said: 'O my Lord.. how shall I have a son when no man hath touched me?' He said:, Even so: God createth what He willeth; when He hath decreed a plan He but said to it "Be... and it is! and God will teach him the Book and Wisdom, the Law and the Gospel, and (appoint him) an apostle to the Children of Israel, with this message:, I have come to you with a Sign from your Lord, in that I make for you out of clay, as it were, the figure of a bird, and breathe into it and it becomes a bird by God's leave: And I heal those born blind, and the lepers, and I quicken the dead by God's leave, and I declare to you what you eat and what you store in your houses: Surely theirin is a Sign for you if you believe. (I also have come to you) to attest the Law which

was before me; and to make lawful to you part of what was (before) forbidden to you. I have come to you with a Sign from your Lord: so fear God, and obey me. It is God who is my Lord and your Lord: so fear God, and obey me. It is God who is my Lord and your Lord so worship Him.. this is a way that is straight. When Jesus found unbelief on their part he said, Who will be my helpers to (the work of) God?' said the disciples, We are God's helpers.. we believe in God, and do thou bear witness that we are muslims (surrenderers to God).' And (the unbelievers) plotted and planned, and the best of planners is God. Behold, God said, O Jesus, I will take thee and raise thee to Myself and clear thee (of the falsehoods) of those who blaspheme. I will make those who follow thee superior to those who reject faith, to the day of resurrection, then shall ye all return unto Me, and I will judge between you of matters wherein ye dispute.' (3:45-55)

YET... inspite of all divergence of opinion, Islam inculcates an attitude of tolerance, clemency and friendship towards the 'people of the scriptures' ... except of course any group who open hostility against Islam. In an Islamic community muslim christian and jewish citizens are equal. The legal dictum "they have our rights and our duties" applies. A muslim may take a wife from them. Their food is not prohibited except items specifically banned (pig and alcohol). They have the right to be exempted from military service upon paying a special tax called the "jizia" (The leader Abu Ubaida refunded the jizia to the people of Homs when he received orders to withdraw from it). The old and poor were exempted from the jizia. Christians and jews did not pay the 'Zakat tax" due on muslims ... and although it was often cheaper to pay the jizia than zakat, many of them

voluntarily changed to Islam. The Qoran reads: **God forbids you not with regard to those who fight you not for (your) faith, nor drive you out of your homes, from dealing kindly and justly with them, for God loveth those who are just.**

4. That the muslim would love to make all people see the light of Islam is one thing; to force them to it is absolutely another. a muslim's duty is to convey the call of Islam and preach its cause by wisdom and graceful argument, but then everybody is free to decide. Surely Islam prepares the muslim to live in peace and love with people of other faiths and variant views. At one stage Mohammad felt sorry for those who were not responsive to Islam... until God made it clear that it is His wish that people would fifer. The following quotations from the Qoran are illustrative:

a) **"Let there be no compulsion in religion: truth stands out clear from error: whoever rejects evil and believes in God hath grasped the most trustworthy hand-hold that never breaks and God heareth and knoweth all things." (2:256)**

b) **"If it had been thy Lord's wish, they would all have believed all who are on earht. Will thou then compel mankind, against their will, to believe?" (10:99)**

c) **"Therefore do thou give admonition, for thou art one to admonish, you are not one to decide their affairs" (88: 21 22)**

d) **"Invite (all) to the way of thy Lord with wisdom and beautiful preaching: and argue with them in ways that are best and most gracious. For thy Lord knoweth best who have strayed from His path and who are receptive to guidance." (16:125)**

e) **"Ye all people, We have created you from a male and a female, and made you into nations and tribes so as you may get to know each other. The dearest to God amongst you are those who fear Him most." (49:13)**

5. This open-heart attitude to nonmuslims is only part of a generalised loving attitude to all beings. Asked about rewardable charity the Prophet said "Charity to all creatures with a wet liver (denoting any living creature) has its reward." The Prophet taught in a saying (hadith) of his: *"As a man was travelling he found a well in the desert around which a very thirsty dog circled in the burning sunshine but quite unable to reach down for the water. The man took his shoe off, filled it with water and offered it to the dog. God rewarded him with His gratitude and forgiveness."*

The Prohphet also told about the ill fate of a woman wo imprisoned a cat: *"neither did she feed it nor did she set it free to find its own food."* With this attitude towards animals, that towards human beings needs no emphasis.

6. The word 'Islam' literally means 'surrender' (to God). Covering all aspects of life, it expects a muslim to live his 24 hours everyday in accordance with the way of God. Greed, creed, mood and emotion, action and reaction are all tamed by initial finding out whether they were acceptable to Islamic standards. The Qoran says:

It is not fitting for a believer, man or woman, when a matter has been decided by God and His Apostle, to have any option about their decision. If any one disobeys God and His Apostle, he is indeed on a clearly wrong path." (33:36)

7. So far this prelude helps — it is hoped — to give a glimpse of Islam. . and of the muslim personality in the making. For it is with this personality that the Muslim will act and interact in various situations including peace and war.

Needless to say, various sources have done their best to disfigure the image of Islam and distort it in the eyes of those who have had no chance of a closer look. Whatever their motive, this is to be regretted as it does not serve the truth.

PART II

ON WAR AND WARRING

When war was first decreed in Islam, it was sometime after Muslims had been fought against and persecuted, but without being permitted to hit back at their enemies. The wording of such permission reflects the defensive nature of war, for it came in the words of the Qoran saying:

"To those against whom war is made, permission is given (to fight), because they are wronged; and verily God is most powerful for their aid." (22:39)

The clear policy of war in Islam is described by the Qoran:

"Fight in the cause of God those who fight you,
But do no transgress limits
For God loveth not transgressors.
And slay them wherever you catch them...
And turn them out from where they have turned you out;
For tumult and oppression are worse than killing...
But fight them not at the Sacred Mosque unless they (first) fight you there... but if they fight you slay them...
Such is the reward of those who supress faith.
But if they cease, God is oft forgiving... most merciful.
And fight them on until there is no more tumult or oppression, and there prevail justice and faith in God. But if they cease, let there be no hostility except to those who practise oppression (2:190-193)

The expression "in the cause of God" mentioned in the beginning of the aforementioned verse of the Qoran is worthy of special note. For in over thirty sites in the Qoran it was annexed to the word Jihad as prescribed by Islam. ("Jihad" has a wider meaning than mere "war" ... for it covers such aspects as fighting oneself's own moods and erroneous desires, giving out cherished money for charity etc...). If not in the cause of God, Jihad will not be acceptable to Islam. War in Islam has therefore quite different aims and means than wars known between states on peoples.

The soldier of Islam is consequently a different brand. A man asked the Prophet Mohammad: "The man may fight for booty, for fame or for pride... which of these is in the cause of God?" The Prophet answered: "Whoever fights so that the word of God becomes the supreme word ... this is in the cause of God." A sharp contrast was set by the Qoran saying:

"Those who believe fight in the cause of God, and those who reject faith fight in the cause of Evil..." (4:76)

It is conceivable therefore that the Muslim army was an army with a concience... for it was indoctrinated by the saying of the Prophet: "God accepts no deed unless it was honest to God and only seeking Him."

THE ETHICS OF WAR

1. Personal Behaviour of the Troops:

In war, as it is in peace, the instructions of Islam are to be

observed. Worship does not cease in war. Islamic jurisprudence maintains that whatever is prohibited during peace is also prohibited during war. War is no excuse to be linient with misbehaving troops. The Prophet says: "Beware of the prayer (to God) of the oppressed... for there is no barrier between it and God. Even if he (the oppressed) was a nonbeliever."

2. Whom to Fight:

Fighting should be directed only against fighting troops, and not to non fighting personnel... and this is in compliance with the verse of the Qoran already mentioned: **Fight in the cause of God those who fight you... and do not transgress..."**

In one of the battles a woman was found killed, and this was denounced by the Prophet saying "She did not fight" This will be further detailed under the instructions given to the armies and their commanding chiefs by the Prophet and his Caliphs.

3. The Prophet's instructions to Commandding Chiefs: *'Fight in the cause of God. Fight those who deny God. Do not be embittered. Do not be treacherous. Do not mutilate. Do not kill children or those (people) in convents."*

4. Abu-Bakr's instructions to Usama's Campaign on Syria (first caliph):

Do not betray or be treacherous or vindictive. Do not mutilate. Do not kill the children, the aged or the women. Do not cut or burn palm trees or fruitful trees. Dont slay a

sheep, a cow or camel except for your food. And you will come across people who confined themselves to worship in hermitages... leave them alone to what they devoted themselves for."

5. Abu-Bakr's Instructions to Yazid ibn-Abi Sufian:

"I give you ten commandments: dont kill a woman or a child or an old person, and dont cut trees or ruin dwellings or slay a sheep but for food. Dont burn palm trees or drown them. And dont be spiteful or unjust."

6. Maintaining Justice and Avoidance of Blind Retaliation:

None can be more illustrative in this respect than the words of the Qoran:

"O ye who believe, stand out firmly for God, as witnesses to fair dealing... And let not the hatred of others to you make you swerve to wrong and depart from justice. Be just... that is closer to piety. And fear God... for God is well acquainted with all that ye do." (5:9).

MEDICAL AND NURSING SERVICES

Current concepts refer the birth of respectable "Nursing" to Florence Nightingale during the Cremean War. As a matter of fact the earliest campaign in Islam knew organized nursing, carried out by groups of Muslim ladies who joined the army to administer comfort and treatment to the wounded.

From the early days of Islam the sanctity of the medical profession was recognized. Christian and Jewish doctors were employed by the Islamic state since the days of the Umayyads, and some of them were even court and personal physicians to caliphs. Under the tolerant attitude of Islam, some of them got the chance to unfold their full scientific potential and thus contributed to the progress of medical knowledge.

Medical help was a right to all men inspite of religion or creed. That this was also extended to those amongst enemy forces who needed it is well known. An example well known in the West is that of Saladin securing medical help to his opponent, Richard Lion Heart of England who was seriously ill during the Crusades. Saladin sent him his own doctor and personally supervised Richard's treatment until he became well. In quoting this particular example, one dare say that such an attitude was quite different to the behaviour chatecterizing the invading crusaders. When the crusaders entered Jerusalem on July 15th 1099, they slaughtered seventy thousand Muslims including women, children and old men. They broke children's skulls by knocking against the wall, threw babies from ever roof tops, roasted men over fire and cut up women's tummies to see if they had swallowed gold. This description was given by Gibbon, a Christian writer, and commented on by Ludbig who wondered how come after those horrible atrocities they prayed at the burrial place of Christ for blessing and forgiveness (Draper/History of the Intellectual Development of Europe, Vol. 2, p. 77).

We do not mention this in bitterness or prejudice... for every honest Muslim or Chrstian well knows that Christianity is something and many deeds of the crusaders are something elese.

PRISONERS OF WAR

The Treatment of War Prisoners.

For the first time in religious or sectarian history, Islam adopted an attitude of mercy and caring for the captured enemy. Unprecedented by previous legal systems, and long before the Geneva Convention, Islam set the rule that the captive is sheltered by his captivity and the wounded by his injury.

Previously, it was the custom for the captive to work for his food or get it through private means. The Qoran made it a charity to feed the prisoners saying:

"As to the righteous, they shall drink of a cup mixed with camphor.. a fountain where the devotees of God do drink, making it flow in unstinted abundance. They perform their vows and they fear a day whose evil flies far and wide. And they, though they hold it dear, give sustenance to the indigent, the orphan and the captive... (saying) we feed you for the sake of God alone: no reward do we desire from you, nor thanks." (67:5-9)

The Prophet instructed his companions to be good to the captives... one of his traditions says: *"It is my recommendation that you be good to the captives."* Abu Aziz-ibn Umair, one of the captives of Badr battle, recalls: "Whenever I sat with my captors for lunch or dinner, they would offer me the bread and themselves the dates, in view of the Prophet's recommendation in our favour (in that desert situation bread was the more luxurious item of food than dates). As soon as any of them held a piece of bread he would offer it to me.

"Feeling shy, I would give it back to one of them but he would immediately return it to me."

Another, Thumama ibn-Athal was taken prisoner and brought to the Prophet who said: *"Be good to him in his captivity."* When the Prophet went home he instructed to collect whatever food there was and ordered it sent to the prisoner. When the Jewish Quraiza tribe were captured, loads of dates were regularly carried to them, with the Prophet's instructions to shelter them from the summer sun and to provide them with water to drink.

From the legal point of view, Muslim opinion is unanimous on the prohibition of subjecting the captives to illtreatment by withholding food, drink or clothing.

The Fate of War Prisoners

This was based upon the teaching of the Qoran:

"Therefore, when you meet the unbelievers (in fight), smite at their necks. At length, when you have subdued them, bind a bond firmly (on them) ... thereafter (is the time for) granting them their freedom out of generosity or take ransom from them... (47:4) According to Islamic law the captive belongs to the state and not to his captor. The ruler has the ultimate option, as he sees fit, of granting freedom or doing that after taking a ransom.

Among those whom the Prophet granted freedom was a poet called Abu-Azza who said: "I have five daughters who have no one to support them, so give me away to them as a charity and I promise never to fight you or help your enemies.'

Abul-As ibn Al Rabiae was freed for a ransom, which the Prophet later returned back to him. This was a good gest, and a while later the man declared his Islam.

Umama ibn-Athal was set free upon his promise not to provide the enemy with food. This gentle treatment touched the man who was then converted to Islam saying to the Prophet: "There was a time when your face was the most hated face to me.. and there comes a day when it is the most loved."

Sometimes captives were exchanged for Muslim captives in enemy hands. An acceptable ransom that was quite often carried out was to teach ten Muslim children to read and write.

It is noteworthy that modern international law allows for setting free a prisoner of war on equivalent lines.

Personnel set free upon their word of honour not to fight again should keep their promise and they should not be ordered by their governments to go to battle again. If they break their promise they might be punishable by death if they are captured again.

NONBELLIGERENTS

Islam never fought nations but fought only despotic authorities. Islamic invasion was one of liberation and not of compulsion. The freedom of the liberated people to decide their religion has already been mentioned, and it was to ensure this freedom that Muslims fought. It is interesting to

mention that when Muslims fought the Romans in Egypt, the Egyptian copts sided with and helped the Muslims against the Romans who were Christians like them. This was because Christian Egypt was suffering religious oppression by the Christian Romans to compel them to adopt their religious beliefs. One of the earliest actions of the Muslims in Egypt was the assurance of religious freedom and the re-instatement of Bejamin as Bishop of Alexandria after years of hiding from the Romans in the western desert. But religious freedom was but one asepct that Islam gave. Whether Arab or Egyptian, Muslim or Christian, Islam built up that FELLOWSHIP that humanity aspires to, in equality and fraternity. The story is well known of the running contest held in Egypt and won by an Egyptian to the dismay of an Arab competitor who was the son of Amro, governor of Egypt. The Arab hit the boy saying 'how dare you outrun me and I am the son of the nobility." Upon which Umar, the caliph, ordered the three all the way to Medina, and ordered the Egyptian to avenge by hitting the offending Arab, saying: "Hit him back.. hit the son of nobility." Addressing Amro, he uttered his famous saying: "O Amro, since when have you enslaved people while their mothers have born them free."

On the Syrian front, when Roman oppressors were defeated by the Muslims, Bishop Sophronios of Jerusalem requested to surrender the city but only to Caliph Umar in person. The Muslim army could have easily blasted into the city, but the caliph came all the way from Medina. As he visited the Holy Sepulchre prayer time came, and the Bishop invited him to say his prayer inside the church. This Umar refrained from, choosing to go outside the door and pray lest some future generation of Muslims would take the liberty to break into the church for prayer.

The treaty between Umar and Sophronios is no doubt a great model of justice and mercy on part of the victor. It read:

"This is the assurance given by the slave of God, Umar, prince of the faithful, to the people of Jerusalem. He assures their safety as well as that of their belongings, money, churches, crosses, their sick and their healthy and all their populace. Their churches will not be dwelt in (by Muslims) or demolished or decreased or deprived of any of their revenues, crosses or money. They will not be religiously oppressed. None of them will be harmed and none of the Jews will dwell in Jerusalem with them. The people of Jerusalem will pay the 'jizia'... they will send the Romans out, and whoever of the Christians wants to walk out with the Romans may do that and is allowed to take his money and belongings."

INTERNATIONAL LAW

The process of active intervention to stop or remove agression is a development that modern international law has recognized.

The second world war for example was sparked by Germany's invasion of Poland, and drew into the fighting countries that were not direct parties to the conflict. One of the fruits of war was the creation of the United Nations in order to settle disputes between nations by peaceful means or indeed if necessary by a collective military force. No one should argue therefore that Egypt and the Roman Empire for example should have been left alone to solve their mutual problems. In modern times the rest of the family of nations

consider it a duty to do something about it. Fourteen centuries prior to the establishment of the League of Nations and later the United Nations, Islam decreed such responsibility.

The legal principle of intervention to solve dispute was offered by the Qoranic saying:

"If two parties of beievers fall into a quarrel, make ye peace" between them: But if one of them transgresses beyond bounds against the other, then fight ye (all) against the one that transgresses until it complies with the command of God; but if it complies, then make peace between them with justice, and be fair: for God loves those who are fair (and just)."

(40:9)

Respect of Treaties and Agreements

One of the major shortcomings of modern international politics is its meagre regard to moral obligation. Time and again treaties and agreements proved unworthy of the price of paper they had been written on. The most splendid produce of the human intellect in the field of international law might instantly vanish upon the call of greed or creed at this age that we wish to think has brought us to the epic of civilization. And what is worse, is that the most sophisticated achievements of scientific progress are often used as tools in the hands of Godless or God-disregarding policies: instead of being exploited 'in the cause of God."

From the outset Islam has emphatically prohibited treachery by taking the enemy by surprise attack. Recent examples of signing a pact or treaty with a nation as

camouflage to hidden intent to attack it are quite contrary to Islam, as several quotations from the Qoran show:

- ★ **Ye who believe ! Fullfill "all obligations" (5:1)**

- ★ **"... And fulfill (every) engagement, for (every engagement will be enquired into (on the Day of Reckoning)". (17:34)**

- ★ **Fulfill the convenant of God when you have entered into it, and break not your oaths after you have confirmed them; indeed you have made God your surety, for God knoweth all that you do". (16:91)**

If muslims sense the treachery of any enemy with whom they had a treaty, they should declare to him the annulment of that treaty before embarking on war again.

- ★ **"If thou fearest treachery from any group, throw back (their covenant) to them, (so as to be) on equal terms: for God loveth not the treacherous". (18:58)**

Although muslims are bound to go to the help of their muslem brethren who are religiously persecuted in the land of an enemy; they are not allowed to fulfill this duty if there is a treaty between the muslim community and this enemy. Priority goes to honouring the treaty.

"But if they seek your aid in religion, it is your duty to help them, except against a people with whom you have a treaty of mutual alliance. And (remember) God seeth all that you do". (8:72)

★Can any law be more idealistic?

And — above all — this is not a nicety to be taken or left by the state. It is a binding religious dictate overruling emotion and prejudice : otherwise it would be a grave violation of Islam.

PART III

AN IDEOLOGY FOR THE WORLD

The heed given the individual by Islam is beautifully emphasized by the Qoranic statement of God's decree long before the message of Mohammad:

"On that account We ordained for the Children of Israel that if any one slew a peron — unless it be for murder or for spreading mischief in the land — it would be as if he slew the whole people. Any if any one saved a life, it would be as if he saved the life of the whole people". (5:35)

But such a strong statement should not remain a mere Moral theory. For you might not directy kill someone, but you contribute to his death by taking a negative attitude, while you could have done something to save him. It is to revolt against this unconcerned attitude towards human suffering that the Red Cross came into being. It is to extend a helping hand to him who needs it — in peace or in war — that made the foundation upon which the Red Cross arose. Although the practical applications of this policy as carried out by the Red Cross are often described as voluntary services, this does not mean that we have the option to take them or leave them. Islam sees them as obligatory, not only

morally, but even legally ... for some fourteen centuries ago Umar ibn al-Khattab the second Caliph, decreed that if a man in a community died out of need, that community were forced to pay the dia (money ransom for killing) as if they had killed him.

The balance between the one and the many is assured in Islam by emphasising that the one is the component unit of the whole society. Just as a building cannot be strong if made out of bricks which are individually weak, the community cannot be happy unless its indivudals are. In Islam it is not the case of individual versus society. Fraternity and love are the cement which binds people together, so that they are — using the words of the Prophet — *"to one another like (parts of) building, each part strengthening the others"*. Another syaing likens them in their mutual compassion and sympathy, to the members of the body, if one falls ill, the remainder will suffer".

And Islam could find the perfect formula to maintain this balance by merging together that which is one's rights and that which is one's duties. The right to be educated — secured by Islamic law — is coupled with the duty to learn. *"Seeking knowledge is a duty upon every muslim: man or woman"*... as the Prophet says. The right to express an opinion involves the duty to speak out, and one has not the right to remain silent, for the Prophet said: *"He who remains silent about truth is a dumb devil"*. The right of political opposition and honest criticism of authorities is also a duty. In his inaugural speech, Abu Bakr, the first Caliph, pleeded : "If I do right, support me. If do wrong correct me".

To ensure the free will of people obedient to no dictates other than a conscience "not enslaved" as Lossier put it, Islam allows no obedience but to God. The Prophet clearly instructed: *"There is no obedience if it entails disobedience to God"*. It was in response to this teaching that the first Caliph declared : "Obey me as long as I obey God. If I disobey Him, then you owe me no obedience". The interpretation of what comprises obedience or disobedience to God, is not monopolised by any person or group, for in Islam there is no clergy or divine rights or any form of mediation between man and God.

Much of what is offered by the Red Cross might be included in the provisions of the modern welfare state. Yet these should not supplant the noble efforts that depict the warmth of the human heart and the flame of love and charity that glows therein. State services are liable to be taken for granted and as a matter of routine, in which case they will answer material needs but will fail to emphasise the real spirit of love and concern that binds man to man.

Islam established the welfare state from the outset ... so much so that the caliph Umar ibn Abdel-Aziz would say "If a mule stumbled as it walked (far away) in Iraq, I would consider myself responsible for it before God on the day of reckoning, why had I not paved the road for it". Yet this degree of state responsibility never lured people into dependence on the state to satisfy the needs of the needy.

Indeed Islam has seen to it that the individual is geared at all times to an attitude of offering service whenver the chance

lent itself. The Prophet classifies faith (Iman) into a multitude of grades... but one of which is, to merely *"remove dirt from the road that people use"*. Even meeting people "with a smiling face is a charity", according to the teachings of the Prophet. *"The best of the people is the best to the people"*, is one of his traditions.

But charitable actions should not stop at the individual level. People should join forces in the cause of good, for the Qoran clearly states : **"Help ye one anotether in righteousness and piety. But help ye not one antother in sin and rancour".** Even that negation of help in sin and rancour, is not a passive attitude by merely withholding help from the wrong doer. An inspiring tradition of the Prophet says: *"Help your brother whether he does injustice or suffers injustice"*. His surprised companions asked : *"We help him if he suffers injustice, but how come if he is unjust""* .. To which the Prophet answered *"Prevent him from being unjust ... for this is the help he needs"*.

Islam's influence on human behaviour is based at the deepest level on the clear demonstration of the role of man on earth. In Islam God is the creator and He is the owner of all that He has created... including man. Man should claim no ownership, even of himself. What man conventionally considers he owns, he is only entrusted with. Encourageing people to be charitable, God addresses them saying:

"Spend out of God's sustenance that He gave you".

But God's plan for man is to make him His agent or

viceregent on earth **"And God said to the angels : I am making a viceregent on earth". (2:30)**

It follows that the agent should act only in a way that is acceptable to the True Owner. "Priviate ownership" is sanctified by Islam to such an extent that if a man is killed in defence of his property he is considered to be a martyr (Prophet's tradition). Yet if he uses his property in ways contrary to God's commands he should be rebuked or punished or if necessary denied ownership. A muslim would therefore appraise all his deeds on the light of their compliance with God's wish.

"It is not for a faithful man or woman, if God and His prophet have decreed an issue, to make a choice of their own". (33:36)

The muslim regards himself as God's instrument in what he thinks and in what he does.

It is this concept that motivates people to conquer the call of greed, creed, anger, emotion or a "cant care less' attitude.

In peace, just as it is in war, what we refer to as "The Spirit of the Red Cross" seems in Islam to be a "built in" mechanism.

When confrontation between man and man reaches its climax in the state of war, this built-in mechanism operates intrinisically as if the "Spirit of the Red Cross" is already a component of the army. Perhaps the following quotation

from the message of Umar ibn al-Khattab to the leader Saad ibn abi-Waqqas is illustrative : "I command you as well as your soldiers to fear God in all circumstances for the fear of God is your best armament and your best planning. I command you all to be more cautious from wrong-doing than you are from your enemy... for the sins of an army are more deleterious to it than its enemy. God verily helps muslims to victory on account of the disobedience of their enemy to Him... otherwise we should have been defeated, for we are neither their match in number nor in equipment. If we were equally disobedient they would win by their superior strength. Dont just say our enemies are more evil than us... for God may punish an evil people by means of others who are more evil".
The appropriate description to such an army is indeed "an army with a conscience".

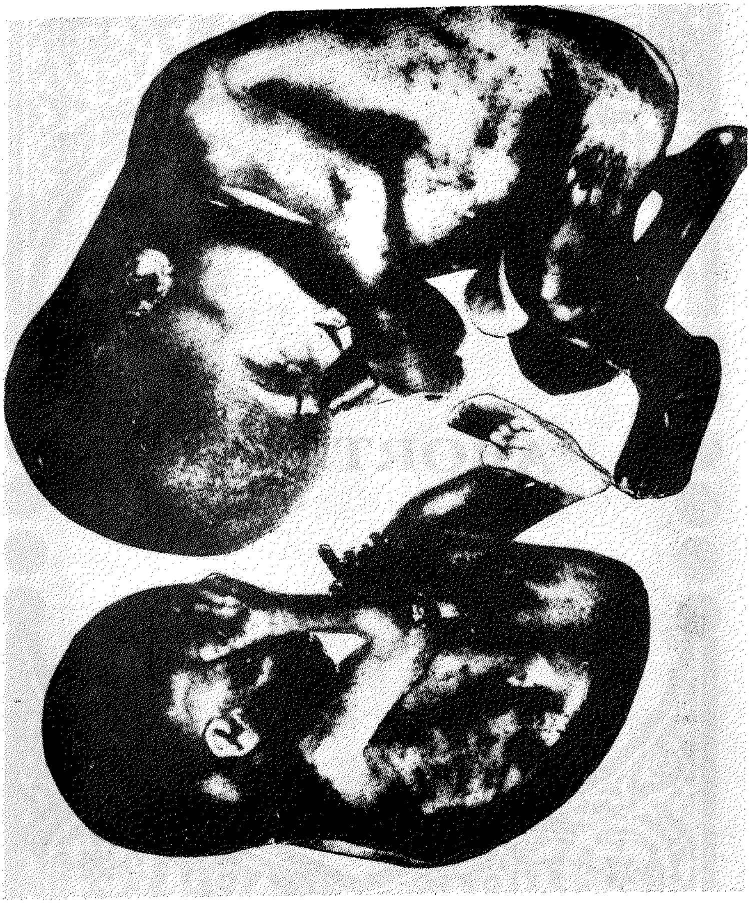
In this ever shrinking planet that we live on, where it has become virtually impossible for any group of people to turn their back to what happens outside their door steps and live comfortably in isolation, the human family is in dire need — more than at any other time — to rally around this Spirit, in Fellowship.

At a time when science at the acme of its progress has produced weapons enough to destroy our globe several times over, and when the materialistic wave in the East, West, North and South puts a curtain between the heart of man and the heart of his fellow man... whether expressed in the Spirit of Islam or the Spirit of the Red Cross ... all must join forces and step forward with all possible measures to alleviate

human suffering, be these measures preventive or curative. For, as far as we can conceive, there is no other way to secure remedy to our ailment, light in our darkness or hope in our despair.

Men of North and South and East and West,
Dark is Earth with no Heaven's light,
Let's hail the One God and do our best,
Till we put our World aright.
Be the banner decorated with Crescent or Cross,
We shall tighten the tie between Man and Man,
Till the message of Brotherhood spreads across,
And Humanity becoemes every person's clan.

ABORTION



Victims of abortion

**IN THE NAME OF GOD,
THE COMPASSIONATE,
THE MERCIFUL**

"O'Prophet: When believing women come to you to give you their pledge not to associate anything with God in worship, that they shall not steal, that they shall not commit adultery, that they shall not kill their children, that they shall not utter slander, intentionally forge falsehood, and that they shall not disobey you in any just cause: then accept their pledge and pray to God for their forgiveness, for God is Oft-Forgiving Most Merciful".

Holy Qoran: 6-12

In the afore mentioned verse of the Quran we have underlined the passage "that they shall not kill their chil dren." In the Arabic text the word children has a connotation meaning both male and female children. During the Jahiliyya era (literally meaning the pre-Islamic period of ignorance), the crime of infanticide was known to be committed for three reasons. The first was burial alive of female infants for fear of shame; the second was in fulfilment of a pledge to the idols if a wish came true; while the third was poverty and inability to sustain a new child.

The significant historical fact was that this crime was always executed by man and never by woman. To be spcified in the pledge given by believing women not to kill their children is out of hi[illegible]rical context as far as those three known crimes go. This leaves us to believe that infanticide carried out by women and forbidden by this verse of the Quran can only mean the practice of abortion which at that time was practicable by women only.

With this prelude, we move on to discuss the question of abortion in Islam.

Since the dawn of history, abortion was frowned upon as an offense on the life of the fetus and was considered by most societies as a crime. The traditions of the medical profession prohibited its commission by its members. The Hippocratic oath entails the solemn pledge given by the doctor not to procure abortion whether by direct interference or by the prescription of such medicaments or pessaries as might cause abortion.

At an earlier era — although of later discovery — Imhotep of Egypt (3000 BC, later deitified as the god of medicine) included a similar clause in his oath of the doctor. Neither tradition nor law ever betrayed the cause of preserving and protecting the fetal phase of human life until practically our present generation. Universally, all laws decreed some sort of punishment upon the crime of abortion usually comprising a fine or a prison sentence or both. The punishment was often doubled if the offender was a medical or a paramedical person. The punishment was waived if the abortion was

carried out to protect the mother's life if she had a medical condition that made the continuation of pregnancy a danger to her life.
That permissible type of abortion was called therapeutic abortion, as defined here it still represents the legal excuse of abortion in many countries.

Modern times, however, have witnessed many winds of change blowing over the old rules. They started cautiously and skillfully but in the span of one generation, led to radical changes of both abortion legislation and the social outlook to abortion.

To start with, there was an expansion of the limits of permitted abortion from life-threatening medical conditions to health-threatening ones, then to "possibly" — health threatening ones, then the health implications were expanded from physical health to the more subtle area of psychological health and wellbeing.

Fetal indications were also recognized, progressively covering ailments incompatible with life, to those incompatible with normality, to those probably incompatible with normality.

This was further stretched until mere unwantedness of the baby for any reason became, practically, a legitimate excuse for terminating pregnancy.

The abortion "movement" — repeat "movement" — further exploited the two waves of population explosion on the one hand and women's liberation on the other, and was successful in introducing further acceptable premises for

abortion such as socio-economic indications, social indications, abortion as back up for contraceptive failure ... etc. etc. until the end of the spectrum was reached, viz abortion on demand.

Even under the restrictive type of legislation, abortion was not restricted in the sense expected. There have always been persons in the medical profession or outside it who were prepared to perform abortion clandestinely in return for a varying fee. Some of these abortionists have made huge fortunes out of their illicit traffic. Many of these clandestine operators have, while practising their trade, brought about the death of a number of their patients or exposed them to serious health hazards, such as haemorrhage, cervical tears, perforation of the uterus, infection and other like dangers. Some of the women thus treated have escaped death only to live on with a permanent injury or chronic disease, while others permanently lost fertility. The tragedies resulting from this type of abortion constituted perhaps the strongest arguments of those advocating abortion on demand. Since abortion will take place anyway, they argue, it is far better if performed by licensed physicians, under safe conditions and with full medical care.

Just as the law has been violated by the use of undercover methods, it was violated by 'getting around the law.' For example, under the laws sanctioning abortion on the grounds of a danger to the patient's life or health (physical or psychological), provided that this is recognised as such by two physicians, the problem would be solved by getting two doctors to agree to the need for an operation or the woman shamming a threat to commit suicide if she is not aborted. In the latter case all the psychiatrist has to do is to write

"suicidal tendencies" on her sheet, a threat to commit suicide being regarded as valid grounds for granting abortion. Evidently, the majority of these abortions would be performed in private clinics rather than in free government hospitals. A strange phenomenon was however, noted. It was believed that legalisation of abortion would do away with the illicit abortion traffic. It appears that this was not the case in those countries where abortion became legal. In Hungary, the number of "illicit" abortions in 1956 — when abortion was declared legal — was around 100,000 to 150,000. After legalisation, the figure rose to 160,000 to 180,000 in the sixties, while for 1968 it exceeded 200,000. The same applied to Japan and to other countries, such as the Scandinavian countries.

It is significant that some of the countries that have sanctioned abortion in order to ease the pressure of the population explosion by reducing the average demographic increase: in other words, recognising abortion as a means of birth control, have a as a result found themselves in a serious predicament.

When abortion was legalised in Japan in 1948, the birth rate dropped to 13.5 per thousand. The authorities were suddenly faced with a bitter fact namely the shortage of young people, the backbone of the manpower needed for industry. If to this be added the growing numbers of old people in society, it will be seen that the ratio of the productive section of society tends to grow smaller while that of the unproductive section of society (infants and aged people) tends to grow larger. This state of affairs would in time lay a heavy burden on the youth of society, resulting in serious shortcomings for national productivity.

(In Rumania on the other hand, the legalisation of abortion in 1956 has been followed by a sharp increase in the number of legal abortion cases. In 1958 it equalled a fourth of the number of pregnancies. In 1959 it rose to a third and was still on the increase). The state soon realised that the matter was getting out of hand when the number of induced abortions began to exceed considerably that of births. Under these circumstances, it was felt the nation would be committing a kind of suicide through extinction. Consequently, Rumania began to retrace its steps by restricting abortion to cases justified on medical grounds. It also sought to encourage population growth by awarding compensations and allowances for childbearing and for large families, by granting maternity leave with full pay and by exempting large families from taxation. The real problem facing the State in such a situation would be that the young people of a society would find themselves burdened with the support of an unduly large section of aged people and infants.

We would get a clearer view of the associated circumstances if we took a look at the British experience. Since 1929, the law sanctioned abortion if pregnancy posed a threat to the woman's life or health. Ever since the Bourne case and the acquittal of Dr. Bourne, things have proceeded smoothly, doctors enjoying enough freedom in the fulfilment of their duties or even at times in getting the better of the law. Nevertheless in 1967 an amendment was issued which authorised physicians to abort a patient if (I) the threat to her life through continued preganncy was greater than that posed by abortion: (2) continued pregnancy posed a threat to her physical or pscyhological health or the health of the children of the the family (whether her own children, her husband's children, or adopted children): (3) there was a strong

likelihood that the infant carried would be born abnormal or deformed. In assessing 'threat' the law urged that the woman's situation at present and in the forseeable future be taken into consideration.

There was no doubt that the legislation was not made in response to demands pressed forward by the medical profession. On the contrary, the fact that new legislation was being contemplated led the Royal College of Obstetricians and Gynaecologists to propose the forming of a committee from the medical and legal professions being more qualified than laymen to understand and discern the problem and complexities involved to formulate a draft for the desired legislation. This proposal was not taken up. Outside pressures intervened to prevent the participation of the professionals in the matter. A widespread campaign proceeded to mobilise public opinion in favour of the permissive legislation enacted in other countries, frankly proclaiming that a woman should not be forced to carry an unwanted baby. Unwillingness on the part of a woman to carry a baby, it was urged, should be regarded as sufficient grounds for granting her abortion.

Sir Thomas Jeffcoate, then president of the Royal College of Obstetricians and Gynaecologists, openly declared on the BBC that the 1967 Law had been hatched up by a small but powerful group of agitators which was able to sway public and parliamentary opinion by insidious propaganda and fact distortion, succeeding in stirring up emotions by painting fanciful pictures rather than by sticking to plain facts and figures. "Although statistics for casualties resulting from illegal abortions were available," Professor Jeffcoate continued, "those had been ignored, grossly exaggerated figures

being cited instead. The press was exploited to brainwash the nation, and with funds brought in from abroad, a pamphlet was printed and circulated explaining the new law in prejudicial and subversive terms. When professional groups expressed their willingness to take part in deliberating on the new legislation, a member of Parliament retorted 'We are not here to listen to professional opinion or advice . . . we are here to legislate." This story, told by Professor Jeffcoate, serves to illustrate the sort of intimidation which the professions might come up against, and how free public opinion might be cowed into silence. The truth is that the new law did not come up with anything significantly novel. All it did was to legalise abortion if pregnancy posed a threat to the physical or even psychological health of any of the family's members including adopted children. Strange it is indeed, if we are to grant abortion on the grounds that the baby to be born might hurt the feelings of one of this siblings, be they natural born or adopted. It was left to the doctor to decide this question. Let us now see what the consequences of these measures were.

In effect, the doctor who was, prior to this legislation, governed by his conscience in deciding whether an abortion was to be performed or not, continued to be governed by that same conscience. So long as the criteria of a man's conscience have not been subjected to the law, a great many physicians shall continue to be unswayed by social pressure and be guided by their own conscience in deciding whether an abortion is to be performed or not. Those on the other hand who welcomed the new legislation with open arms were the bands of professional abortionists who used to carry out their activities clandestinely and now could come out into the open. True, the law stipulates that the operation be

performed in an institution recognised by the Ministry of Health, but it does not require that a specialist should perform it. In the case of this group of practitioners, their operations have acquired a legitimacy which they had not previously enjoyed. In fact the very people which the legislation sought to protect society from have now come under the protection of the law. Years later, it was insidiously felt that doctors ethically opposed to abortion were descriminated against in appointment in hospital gynaecology jobs, and the Royal College of Obstetricians and Gynaecologists are doing their best to protect them.

A great number of legal induced abortions followed in the wake of this legislation. It was evident that the state had not taken steps to meet this eventuality. In government hospitals over-crowding resulting from the admission of abortion cases seriously interfered with the treatment of other ailments, competing in the need for beds, operating rooms and physician's time; it is estimated that half of the doctor's time spent in his clinic and half of that spent in the operation room is taken by the abortion problem. Although the decision rested with the doctor, it was nevertheless observed that 40 percent of the abortions were performed in the small number of private institutions charging fees, a ratio far greater than that seeking the services of those same institutions for other ailments, whereas in the state hospitals only 60 per cent of the operations were performed.

It is to be noted however that, of the women granted abortion, 44 per cent were married, 47 per cent were unmarried girls and 9 per cent were divorcees, widows or separated from their husbands.

In other words, the total of abortion for the unmarried

amounted to 56 per cent. One further point worth noting: the ratio of abortions performed for pregnant unmarried women in private institutions was double that performed in state hospitals.

Medical circles strive hard to show the dangers involved in opening the doors wide to abortion. The British Medical Journal (30 May 1970) presented an analysis on abortion just after the Law was issued, which showed that the death ratio for legal abortion was 3 per thousand, a ratio slightly higher than deaths caused by childbearing in general (including births and abortions both legal and criminal). It also showed that abortion severely taxed the woman's future health both physically and psychologically. Professor Jeffcoate even went so far as to affirm that doctors would show more kindness in the pitiable case of an unmarried pregnant woman by not aborting her, showing her instead the undesirable consequences which the operation would expose her to if performed. In his opinion, abortion is not the right solution to this problem, for legalised abortion would only lead to a loosening of sexual relationships and to slackness in the use of other contraceptive means. Time proved his views. He tells the story of a girl who was aborted only to return a few months later pregnant again. When the doctor showed his disapproval, she shrugged her shoulders saying, 'Can you stop yourself smoking?

One of the most catching things I read in one of the medical journals (BMJ, June 1971) was a protest against an advertisement appearing in the English 'Daily Telegraph' which read: 'From Holland — Special for Abortion — Cost of Trip: £105'. England had not passed any restrictive measures which applied to nonresident women; as a result,

England became the mecca of abortion seekers. Special agencies were formed to organise the whole trip, including admission into hospital, stay in London, and return journey — all for a fixed sum as if it were a tour. Nowadays they are advertised in the press and their posters appear in the London underground stations. Physicians in England whom the law does not force to perform the operation against their conscience are definitely better off however than their colleagues in some Eastern European countries where abortion is a woman's right, not to be denied. Doctors there are forced to peform the operation unless there are medical grounds against their doing so, for they are state officials who cannot shirk their post's responsibilities — a terrible ordeal for conscientious men of principle.

Moral Background

The development outlined here for the legislation on abortion, from the wholly restrictive to the conditioned permissive to abortion on demand,' should not be viewed in an isolated, abstract manner. It is part of a picture which cannot be comprehended unless viewed as a whole. This movement is but a thread in a fabric, a step along a road, a segment of a whole.

After the First World War, the world was invaded by two branches of a philosophy or perhaps it would be better to say by two branches of the same brand. The first denied God fundamentally as well as religion, denouncing the latter as the opium of the people. It purported that the prophets were social reformers, who, to induce people to follow them, promised them rewards that they did not have and consequently referred them to an imaginary bank called 'the

Hereafter.' This philosophy spread wide and took hold of the minds of the people, commanding now a following of nearly one half of the world population. It aims first and foremost at evicting God from the soul and installing a substitute.

The other branch, on the other hand, moved in the direction of the religious communities, carving its way gradually into the Western Christian World. It began to preach a new doctrine which it called 'the New Morality.' Riding on the crest of scientific progress and the triumphs achieved by the human mind, it proceeded to extol this mind, urging people to glorify it, to take it as their guide and preceptor and to look upon it as the arbiter which should determine their actions and behaviour. What accorded with man's reason was right and what did not was wrong. Having thus succeeded in glorifying reason, it then proceeded to call upon man to lay his heritage before 'reason' to be reviewed and evaluated by the latter, unhampered by all the foolish and superstitious aspects of that inheritance which have or should have become obsolete. Reason, having thus become the highest authority in man's life, naturally proceeded to select afresh all that accorded with its dictates and to discard all that ran counter to them. In short, reason was installed in the place of the worshipped deity. It now became the supreme authority for man's actions, establishing or rejecting their validity as it saw fit.

In the midst of that sweeping wave of brainwashing, people failed to see that their new god was limited and deficient. For the mind can only see as far as the horizon, but beyond the visible horizon there exist innumerable other horizons hidden from man's perceptive faculties. Mind, by its very nature, is of imperfect knowledge, the proof being that

each new day brings along with it some new aspect of knowledge hitherto unknown. It is as if each new day branded our mind with imperfection. If we believed that our knowledge had become complete, then all scientific institutions and laboratories would close down and research budgets be stopped. Quite the opposite is true however. The greatest incentive to scientific research today is man's awareness of the vastness of his ignorance — and how immeasurably vast his ignorance is!

Reason began to review the old values, replacing them with new values: it also proceeded to review the "old morals" and to replace them with a new system of ethics more to its own liking. Under the banner of freedom, man began to preach the doctrine of 'freedom so long as no harm is done to others.'

This movement found support from another intellectual trend, namely, the trend preaching the gospel of 'Morality without Religion.' Ostensibly, this last stands apart from the movement outlined above, but in reality it tends to have the same effects. The doctrine it teaches is that man can and must love the good for its own sake and hate evil for the harm it does others. Let man love others, be truthful in his utterance, honest in his dealings, faithful in the performance of his duty; let him be of pleasant character and generous nature. Man can be all this without adopting any religion or adhering to any religious rites or prescriptions. To reinforce their stand, the advocates of this principle pointed out that people have always disagreed and always will disagree on the question of religion. The pages of history — specifically Christian history — with their tales of tragedies, horrors and strife all perpetrated in the name of religion — bear witness

to that. Religion, the disciples of this movement maintain, is but a means of attaining certain ends. Since those ends are attainable, then all roads leading there to are equally praiseworthy. What is important is that man should be guided by his conscience. How often, they add, do we find pious men who perform all religious prescriptions and observe all the rites and rituals and yet prove to be cheats, of vindictive nature, corrupt or untrustworthy.

This appeal to virtue drew to it a large number of worthy people, a fact proving to be greatly advantageous to the movement. The basic idea in all this was that good and evil should have no fixed criterion laid down by a fundamental faith. Thus once the firm rock of faith is shaken, once God's teachings are supplanted by man's conscience, the next step is easy to take, for the new preceptor is gentle and kind, mild and easy to handle. Man, having discarded the armour of creed, donned instead the loose and easy garments of freedom, and so the question became simply one of time. Moreover, since man has become answerable to his own conscience rather than to God, the chinks in his new armour become countless, though often he may not be aware of their presence. As a result, man's psychological structure, being naturally suggestible, will loose its moorings. Just as iron can be softened by fire and made to assume new forms by continuous striking, man can also be moulded into new shapes and made to discard the old for the new. Predilection, suggestibility and malleability have always been part and parcel of the human ethos.

The spread of these ideas led to the loosening of the hold religion had upon people and the diminishing of the role it played in their lives. Instead of listening in reverence to the

teachings of religion, the voice of God grew dimmer to the ear: it gradually became a mere echo from the distant past. As the years went by, it became all too evident that the bulk of Western public opinion had become estranged from God, and even grew so bold as to attack Him. This might be attributed in part to the fact that traditional Christianity outdid itself in portraying God with physical characteristics and geographic dimensions, a picture totally unpalatable to man's reason in the age of science. I, and doubtless many others like me, were simply astounded when confronted in 1966 by the issue of Time Magazine whose cover bore the legend "Is God Dead?' The crack of doom, it seemed to us, must surely be approaching if such a widely-read magazine could brandish such ideas. Nevertheless, the magzine continued to thrash the subject out many times over, presenting views both for and against. Nor did the matter seem to produce the shock we had anticipated. The Church, as was only natural, did show an interest in investigating the causes that made people turn away from religion and in seeking ways by means of which it could redress the situation. Commenting upon some of the Church activities in this field, the magazine published in its 26 December 1969 issue (p. 40) an article entitled 'The New Ministry: Bringing God Back to Life.' The fruit is similar to the seed. It is not hard to see how a number of things prohibited in the past became permissible in the present.

Under the new slogan of the 'New Morality,' standards underwent change. Since you do not harm others — and doing harm was given the most superficial interpretation — no guilt or embarassment need be attached to you actions. Of the standards undergoing change was the concept of sexual relationships. But on taking a closer look, we find that

the new virtue is essentially the old vice. This was followed by a channelised and all-pervasive wave of sexpermeated films, pictures, light and serious reading matter, books of philosophy, songs, plays, fashion, commercials on radio and television, lectures and even persuasion on an individual basis . . . a comprehensive, well-coordinated movement bent upon a single course and with one object in view.

With enough patience and perseverance all this would grow in time into one huge social tidal wave, that would sweep along with it whole nations rather than isolated communities. These movements, it must be added, left no avenue unexplored to reach their ends. A psychology professor in a reputed university, issued a cautioning against sex complexes that might result from sexual repression! Bertrand Russell, in a televised talk just before his death, announced his satisfaction at having witnessed the realisation of the new pattern of sexual relationships between boy and girl university students through the discovery of contraceptives, which he had long advocated.

Even the Church was not immune to this intellectual invasion. A committee, appointed by the British Church Council, in a report on 'Sex and Virtue' denounced sexual exploitation but blessed sexual relationship in marriage; nevertheless it rejected the idea of continence before marriage or that of fidelity after it. It also refused to espouse the views of the Bible regarding adultery, declaring it permissible in certain cases between two willing adults if it formed a perfect total encounter (Time Magazine, 28 October 1966, p. 38). The report then urged that single girls be provided with contraceptive means and called for more laxity in abortion legislation. This recalled to my mind the

words of a certain English bishop I had read in the fifties which called on people to forego the use of the word 'God' for one generation, and in which he declared he viewed the coming together in bed of a young man and woman through love and not compulsion as a charity. How far removed is this stand from that of Jesus as shown in his words: 'Whosoever looks at a woman with covetousness in his eyes has committed adultery with that woman in his heart."

No wonder then if these pressures have made themsleves felt in Western societies, and no wonder too that they left their impact upon legislation, resulting in the new crop of abortion laws and other laws, one of which did not regard homosexuality as a criminal act so long as it was carried out between two adult men both of them willing. The power and expansion of the "gay movement" in certain societies at the present time is only too well known.

Under the screen of woman's emancipation, these same people urged that since man could practise sex freely, woman should be equally free to practise it, instead of saying 'since unchastity is improper to woman then it is equally improper to man.'

Young men and young women rushed headlong as moths rush towards fire. Medical circles began to be disturbed by the recrudescence of venereal disease in countries such as England and the States where it was believed to have been comletely eradicated. The bacterial strains causing these diseases became gradually more and more immune to penicillin and other antibiotics, while syphilis and gonorrhoea became as rampant as they had been in the pre-penicillin period, with however one distinction: the predominant age of those afflicted now ranges between 15 and 25. In

1965, 27 per cent of the girls attacked by the two diseases were below 20 years of age. Another distinction was that the ratio of casualties for females rose, outstripping that for males. The affected woman now was no longer yesterday's prostitute infecting many clients but the average girl — a student, a worker or an employee who had thrown caution to the wind. In America, Dr. W. Brown of the American Center against Venereal Diseases declared in 1965 that 650,000 of the American youth under twenty years of age catch syphilis or gonorrhoea every year and that during a one-year period the known cases of syphilis have increased by 55 per cent in New Jersey and 30 per cent in New York city. Similarly Dr. Mackenzie Pollock of the American Health Association announced that fresh cases have lately been reaching serious proportions and called for a state of national emergency (Time Magazine, July 27, 1970).

A clearer picture of the state of affairs is presented by the birth rates in England and Wales, showing a gradual decline over the years of legitimate babies, while the rate of out of wedlock births rising every year and might end up by representing most births.

It was stated earlier that the abortion statistics in England for the year 1969 showed that 47 percent of aborted women were married, while 53 per cent were not. The case is not unlike that of Sweden and many other countries.

All this evidence and all these factors and conditions serve to bring about and to foster moral retrogression as well as to promote the general international climate that activates the call for 'abortion for any woman unwanting her fetus.' Thus

is revealed the real nature of the need for easily obtainable abortion, not on therapeutic grounds, but as a legitimate right such as air or water, which married and unmarried women alike have the right to demand.

A Sectarian Look at the Moral Background

We might find it hard to convince one who does not believe in religion at all of the call of religious texts. But religion itself, with God's grace, has urged us to seek wisdom and resort to gentle preaching and friendly persuasion. In this connection we would like to comment briefly on contemporary moral development. All that we are about to state here is true to the picture without undue exaggeration. Anyone who will trouble himself to glance at the output of the Western press, view the objects of contemporary art, or visit the West using his eyes to see, his ears to hear and his mind to reflect with, will soon be convinced of the truth of what we say.

A scientific look across known history from its origin to the present will reveal the indubitable fact that man is lord of all created beings representing the peak of biological evolution. Then we look at man's life from its primitive beginnings to the civilisation heights it has attained we perceive that man's civilisation was distinguished by, and rested on, one unique concept, namely man's control over his passions. Without the Faculty of 'self restraint' man would not have scaled the heights of moral glory, nor would his intelligence have progressed along the path of scientific research.

If man were to give his passions free rein, mankind would become a community bent on self-destruction with disin-

tegration of civilisation. History cites examples of empires that held sway, collapsing when they grew lax in curbing their passions. If the contemporary amoral trend were to be allowed to continue, there can be little doubt that our present civilisation would be planting into its body the seeds of its own extinction.

We believe in freedom, justice and fairness. We believe that woman should not have a lesser share in all these. Let us for the time being put religion aside and consider freedom, justice and fairness; let us raise our voice particularly about woman's freedom and her equality to man!

Taking these slogans as a guide, we maintain that any relationship between two people, whose consequences are not equally shared by the two, cannot possibly be considered as freedom, justice and fairness. Sex has been sanctioned on the grounds of equality between man and woman. But a glance will show that the results are distributed between them far from equally. Woman is always the losing partner. If she lives with a man and is then abandoned, she is the loser; if she becomes pregnant outside marriage and aborts, she is the loser: if she gives birth to a fatherless infant, she is the loser, regardless of whether she takes the baby with her to bring up, or whether she gives it up for adoption either to private individuals or to the State, no matter how well the child is taken care of. This is contrary to the concepts of equality, justice and fairness and it is definitely not in keeping with our own concept of woman's emancipation or our version of "women's lib."

This licentiousness — even on the basis of purely social concepts — is an act of injustice perpetrated against woman, an exploitation and an unparalleled type of slavery, as well as

an enjoyment of her own person without committing man to any duty or responsibility towards her, since any right over him is denied her.

Lust is portrayed as an irresistible power; chastity is held to be unreasonable and unacceptable, the idea that it belongs to the realm of fancy and is wholly impractical becoming firmly implanted in the mind, just as not too long ago virginity was said to be easily lost through bicycle or horse riding or through physical exercise, thus making it all the more easy to repudiate it without fear of shame.

Our Islamic societies offer proof of the West's misguided folly, but the West shuts eyes to the evidence. In our Moslem societies, including Christian communities living there, the virginity rate before marriage is in the region of one hundred per cent, regardless of the marriage age, affording sufficient proof that virginity is not beyond the reach of possibility. The causes behind this circumstance might be debated, but the fact remains that virginity is not out of reach.

In the face of this torrential flood, counter-movement cannot come about unless there appear reformers and sincere people truly concerned about enlightening youth as to the principles of true freedom and fairness. Virtue is a form of 'preventive medicine,' not only in so far as the medical field is concerned but on a much wider scale as well.

Behind the visible scene, there is a "movement" in which skill, cunning and power are at play, a movement that aims at undermining human societies and substituting therein strength for weakness, disintegration for close-knitted relationships and mental torpor for alertness. Who knows but

that in the near future all this would bear fuirt, enabling it to destroy whole social fabrics, hold whole societies in thrall and take over from them their rightful inheritance. Could it be that it aspires to gain mastery over the whole world, an ambition it sees as more easily obtainable through the poisoning of ideas and the demoralisation of people? Perhaps it has no scruples in carrying out its designs, believing as they do that they are God's chosen people and that the rest of mankind are but dumb beasts. Will the world forever remain blind to what is clear to the eye? Will no one take it upon himself to head off the imminent peril? Is there none to fight for this most worthy cause or is it already too late?

The Fetus

Clearly, societies adopting liberal legislation on abortion look upon the fetus as a useless, lifeless offal to be rid of since it is 'unwanted! I have heard some British colleagues say in defending the legalisation of abortion. 'Whenever I sit in my clinic with one of these women coming to me with her problem, I feel first and foremost that the problem is a dual one concerning us two: the doctor and the patient... The truth is I have never sat in like manner with one of my patients and felt we were just two. I have always felt that along with us was a third silent party who was unable to present his own point of view, or defend his right to live as opposed to his mother's right to extricate herself from a predicament or to limit the number of her family.

This third party is the fetus ... the newcomer waiting at the door, to be opened to him following a fixed term. The fetus is I and you and all of us. He had the advantage over us in that upon arrival he will have his whole life laying ahead of

him, whereas in our case we have left behind a goodly portion of our lives having only a portion remaining to us, longer or shorter as the case may be.

As soon as the sperm comes into contact with an ovum coming out of the ovary and starting its trip inside a duct leading to the womb, the sperm and ovum fuse to form one cell. In thirty hours — the longest waiting period in the life of the embryo — there occur changes within the cell enabling it to divide into two. The cell division then follows apace, first into four, then into eight, then into sixteen and so on. This cell mass aquires a fluid cavity and is called the blastocyst, which reaches the womb in a few days and proceeds to implant itself into its lining. Both prior and subsequent to this step, the cells divide steadily, until from conception to birth it increases from one to 200 million cells, and in size it increases thirty million times. The cells next proceed to cluster in groups, each going its separate way to form a segment of the embryo and then different organs in this segment — all this in the midst of constant unceasing activity. In the first month the weight increase is one million times: in the second 74 times: in the third eleven, and in the last, one-third of a time.

The eye cannot follow this prodigious activity. However it can discern in two weeks' time the lengthening of the embryo and distinguish the head from the tail part and the incipent appearance of his forty-four segments between 19 and 21 days. When the embryo is three weeks old, the brain bulge begins to appear as well as the mouth indentation, an incipient nose and ears, rudimentary intestines, and blood vessels into which blood is pumped by means of a primitive pulsating heart. Smoothly and with more and more stream-

lining the embryo's shape grows well-defined while his internal organs develop. From the fifth to the eigth week his length increases from 5 mm to 3 cm: during this period the formation of the fetus is completed. With grace and streamlining, the embryo's features are perfected, so that by the time it is three months old, he may be regarded as a human being in miniature.

The embryo lives in the uterus inside a membranous sac filled with a liquid known as the amniotic fluid, in which it floats about freely, protected from the pressure of the uterine wall and having enough room for growth. It also drinks from and excretes his little urine in this liquid. This liquid is by no means stagnant; it is absorbed and secreted, constantly being renewed. However, the rate of the fetus' growth outstrips that of the swelling of the sac, and consequently of the uterus, the fetus continuously occupying more and more space. Whereas previously his faint gentle kicks and movements took place inside the fluid, by the end of the fourth month and afterwards they hit against the uterine wall and are therefore felt by the mother: a phenomenon called quickening.

In ancient times it was believed that the fluttering feeling felt by the mother against the wall of her womb indicated the flow of life into the fetus (this is what al-Ghazzali and others called 'the quickening of life'). Embroylogy however has shown that the fetus begins to move long before the mother can feel its movements. Moreover, modern equipment enables doctors to hear fetal heartbeats in the eighth week, although the heart starts beating even before that.



British nurses demonstrating against abortion

Embroyology has occupied a good deal of my time and life. The topic of my Ph.D. thesis was 'Studies in Normal and Abnormal Human Embroyogenesis" I have come to know the fetus in his or her various phases, arriving at the conclusion that the fetus is an individual. I have been unable to draw a line between the fetus as a human and as a non-human. I have moreover been unable to draw a line telling me where I would have to feel concern for the fetus and where I would have to disgregard it. As amatter of fact, one aspect of modern progress in general medical development is its concern for the fetus, and the emergence of a new medical specialisation in obstertics and paediatrics, namely "Fetology". Perinatal mortality has reached a fixed minimum. It was seen that there was no way of reducing that minimum except by tending the fetus while in the uterus. New diseases of the fetus in utero can now be diagnosed and treated. Research continues to perfect an artificial placenta to support the very prematurely delivered fetus. The scope of this branch of medicine has grown and is still growing.

A glance at the responsibility which the medical code of ethics imposes upon the doctor vis-a-vis his patient will reveal the contradictions and flounderings of the medical profession, by advocating abortion or executing it. On the one hand it uses its skill in the saving of fetuses under its own care, while on the other hand with equal keenness it is ready to snuff out their lives and rob them of their right to live for no other reason than that they are 'unwanted'.

THE STAND OF ISLAM ON ABORTION

The worthy jurists among our ancestors had their own views on abortion. These views were unanimous on certain points and divergent on others. In prouncing a formal legal opinion (Fatwah), some of their individual judgements were based on the medical beliefs prevalent in their age. One of these was to regard quickening as the sign of insillation of life into the fetus which took place four months after pregnancy had started.

We have shown that scientific progress over the centuries and the emergence of 'Eetology' as a speciality has proved beyond any doubt that the fetus starts moving long before the mother is aware of his motion. His gradual development from a cell to a full-term infant is a flowing and continuous development, without there being any scientific dividing lines or clear boundaries separating one phase from the other.

As we see it, a legal opinion based solely on a scientific belief must change in accordance with the change this scientific belief has undergone. If the foundation changes, the structure above it must change too. Our forebears based their legal judgements on contemporary medical opinions at their time. It is time that new judgements are formulated on the basis of new knowledge. It is regrettable that some

contemporary authorities tend to copy the ancients even when it comes to old medical opinions whose erroneousness has been exposed and which since have been superseded by other ideas. We will cite some of these ideas here, reiterating the need for new conclusions.

Clearly, the opinion one holds concerning abortion differs from that held as regards contraception. Whereas abortion is a direct assault against life and therefore a criminal act, the elements of the crime are lacking if pregnancy is prevented because a victim is non-existent, and there can be no crime where there is no victim.

Sheikh Mahmoud Shaltut, (late grand Imam of Al-Az har) in discussing the verdict on abortion said, "Scholars are agreed that after quickening takes place, abortion is prohibited to all Moslems, for it is a crime perpetrated against a living being" Hence blood ransom is due if the fetus is delivered alive and the 'ghorra' if delivered dead. The jurists were not, on the other hand, agreed whether to sanction or prohibit abortion if performed prior to the quickening phase. Some felt it was permissible on the grounds that no life existed and therefore no crime could be committed. Others held that it was unlawful, maintaining that it already had inviolable life, that of growth and preparation. Among the latter was the great master, Al-Ghazzali. He dealt with this question, distinguishing it from contraception, saying, 'This (coitus interruptus for preventing pregnancy) is not the same as abortion and burying alive of newborn girls, for the two latter are crimes upon an existence that already is... The first grade of existence occurs when male matter falls into the

womb, fuses with the ovum and gets ready to receive life. To destroy this is to commit a crime. The crime grows more and more serious as this matter passes from one phase to another, until it reaches its worst when it is born alive" (Islam: Creed and Law, Darul Qalam, 3rd ed. 1966).

The author of Al-Khania (of the Hanafi scholars) on the other hand declares "I cannot speak for the legality (of this matter), for the act of breaking an egg inside game falls under religious interdiction since the egg is the origin of the game. Since censure is incurred here, the least that can be said is that a certain degree of criminality attaches itself to her action, that is if she aborts without any grounds". (Quoted by Shaltut). A logical and quaint opinion, for no one can presume that the fetus in his mother's womb even in its early days has far less right to live than the egg of a fowl.

Ali Ibn Wahban, (Quoted by Shaltut) commenting on the question of grounds, said that "one valid reason justifying abortion would be if the mother's milk dries up after pregnancy occurs and the father is too poor to hire a wet nurse". This view does not apply today since it is possible to prevent pregnancy by various means all easily accessible, of little expense or even freely provided by the State. Besides the fact that the age of wet nurses is over as a result of modern powdered milk for infant feeding which can be obtained at little cost or which is supplied by the State to the poor. This is far better than solving the problem of poverty through murder.

Commenting on the quickening of life, Sheikh Shaltut (Al

Fatawa Al-Azhar 1959) says, "As they say, it does not occur until after the first four months. When, on the other hand, we speak of life taking place in the fourth month, we are actually referring to the perceptible life which the mother feels through the movements of the fetus, to which the term 'quickening of life' has been given". We believe we have dwelt at length upon scientific aspects of this question. We marvel however at Sheikh Shaltut continuing as follows: "It is this point", he says, "which enables us to conclude that the scholars' differences of opinion on the permissibility of abortion resulted from their unawareness or lack of grasp of these technical aspects of the question, leading them to regard the inviolaibility of abortion in this case as different from abortion if performed when formation is complete and quickening takes place. It may be said therefore that they are all agreed on the interdiction of abortion at any time during pregnancy". This was the stand adopted by Al-Ghazzali (Shaltut Al Fatawa) when he spoke of the grades of pregnancy from the time the first seed is sown, saying "To destroy such is a crime. If it becomes a clot of blood then the crime becomes more heinous. If life quicknes into it and it attains full formation then the crime becomes more heinous still. The crime becomes most heinous after it is delivered alive". There is consensus of opinion however when proof from a reliable source is obtained indicating that continued pregnancy, even after confirmation of the existence of life in the sense given above, would definitely lead to the mother's death. Islamic law (the Shari'a) in this case fundamentally ordains that the "lesser evil is to be perpetrated". If to preserve the life of the fetus would mean the death of the mother and there is no other way to save her life than by

aborting the fetus then abortion in this case is authorised. The mother is not to be sacrificed to save the fetus for she is its originator. (Shaltut, Al Fatawa). Professor Mustafa Az-Zarqa (a notable contemporary scholar) propounds a view based on the stand of the Hanafi school (Law Journal, Aleppo, 26, 1939). He divides the first four months into two stages: 'Either the fetus has begun to take shape', he says, 'some of his organs appearing, or not. If none of his organs have appeared then it may be aborted, in the opinion of a minority of jurists, for this would be quivalent to preventing a pregnancy (a statement which is obviously wrong), a permissible action, with the consent of the husband, for the fetus has not yet acquired any of the properties of man. The **preponderant juristic opinion** however is that abortion without justifiable grounds is a reprehensible action. Reprehensibility in this context means interdiction by religion under the category of offence bordering on sin, for it (the fetus) is matter destined to form a future human being. Aborting it however carries only a religious responsibility but has no penal or civic consequences, unless abortion is effected without the husband's knowledge or as a result of an assault by a third party, in which case penal action in the form of castigation is incurred, castigation here entailing an undefined form of penalty left to the discretion of the judge, who is to take into consideration the aborter's condition and decide how much punishment would be sufficient to deter the perpetration of similar actions.

If during a pregnancy however some of the organs have begun to take shape, then the abortion of the fetus would be prohibited as such by single injudction to both husband and

wife, and more forcefully to a third party unrelated to them. To perform abortion in this case, that is, after the fetus begins to assume shape or after the lapse of 120 days from conception, constitutes in the view of Islamic Law (the Shari's) an offence entailing sinful action as regards religion and the contingency of castigation in the form of a penalty by the Law, whether the aborter is the father or the mother or a third party unrelated to them. Abortion incurs yet a third responsibility — a civic one, namely a financial surety: the aborter is required to pay a ransom for the fetus called a 'ghorra' (amounting to 500 silver dirhams, equivalent in the early days of Islam to 50 gold dinars or 75 gold dirhams, the dirham weighing approximately 3½ gold grams). This 'ghorra' was handed over to the heirs of the aborted fetus. The aborter however, even if one of the heirs, pays the fine but cannot inherit any portion of it. All this is applicable to cases having no justifiable grounds for abortion. On the other hand, abortion is sanctioned on justifiable grounds, e.g., if the mother's health cannot tolerate pregnancy or if she has a suckling baby who cannot do without milk and whc will be affected if he suckles a pregnant mother's milk, the father's means being insufficient to the hiring of a wet nurse. We have already stated our opinion regarding the first case; as regards the other on the other hand, we feel it is inadmissible since (1) nowdays pregnency can be prevented easily, and (2) the baby can feed with artificial milk. Moreover, modern science has shown that there is no harm to the baby if he suckles a pregnant woman's milk.

However after the lapse of four months, abortion is not permissible unless the mother's life is in certainty of danger

from continued pregnancy. For, in the latter case, the death of the mother would also mean the death of the fetus she is bearing, while abortion would preserve the mother's life. If any person aborts the fetus subsequent to the four-month period, be he one of the parents or a third party unrelated to them, he incurs the above religious, penal and civic responsibilities in more stringent measure than in the case of abortion performed prior to this four-month period of pregnancy. The religious guilt attached to the action is definitely considered greater. If the fetus is delivered alive but dies soon after, the responsible person must expiate his guilt in the same manner as when he is guilty of manslaughter (expiation being a religious penalty enjoining the freeing of a slave, or the giving of a certain amount of alms to 60 needy people or the observance of a 60 days fast if the guilty person is too poor). Penal castigation would similarly be more severe. The financial responsibility on the other hand entails the following: if the fetus is delivered dead, the aborter has to pay the 'ghorra' (ransom money) mentioned above, just as in the case where abortion takes place before the first four-month period of pregnancy but after the fetal organs have begun to differentiate. But if the fetus is expelled alive then dies, his aborter must pay the full ransom money due to a full man, which is equivalent to 10,000 silver dirhams. This ransom is distributed among the heirs in the same manner described above for the 'ghorra'. It will be observed that Islamic law, in cases where abortion is prohibited, has meted out the law equally, towards the two parents as well as towards a third party — the responsibility incurred and the sentences, applying equally to all. In those cases where abortion is permissible however, decision rests with the

parents alone, abortion here by a third party being prohibited and regarded as an assault upon life. Needless to add that the third party referred to above is not meant to apply to a doctor or midwife or any paramedical help whose experience will be called upon in the performance of an abortion.

We have something to say on the process of organ differentiation (the taking of shape) in the fetus. Ovulation in a woman (specifically, the rupture of a thin ovarian sac, the follicle, to discharge the ovum into the general cavity of the abdomen) takes place usually 14 days before the following menstruation. The ovum can be fertilised only during the space of one day. If in the course of that day a sperm reaches it, penterating its outer wall, fertilisation takes place; otherwise no fertilisation takes place and the next menstrual period follows. Fertilisation usually occurs inside one of two tubes (the oviducts) leading to the uterus. We have shown how the fertilised cell, now known as the egg, travels to the uterus, multiplying itself constantly, reaching the uterus in five or six days when it implants itself into the uterus, cell multiplication going on all the time. In other words, when the next menstrual period is due, pregnancy would have actually covered the two weeks stage of development.

Since in the case of most women it is not unusual that menstruation should sometimes be subject to irregularity, coming sooner or later than due, it is seldom that a woman can take notice, of a possible pregnancy except many days after its occurence. In other words, ascertaining scientifically

that a pregnancy has occured means that the embryo will have actually covered a good time of its existence since fertilisation. We have shown that by that time it would have entered the phase of organ differentiation. Before we conclude this point however, we would like to reiterate our medical opinion that life in the sense of growing and feeding exists in the cell from the moment it begins subdividing, one day after fertilisation and two weeks before the next menstruation that was to take place, and that thereafter growth is one continuous process of smooth and harmonious progression.

While admiring and lauding the meritorious attempts of the jurists of old to formulate legal judgement on matters concerning which there is no explicit reference in the sacred scriptures, basing their opinion on scientific data available to them at the time, we would have liked at the same time to see judgements based, upon the scientific data available to us today.

We must here recount the Prophet's words on the *'Forties'*. *In this connection the Prophet (of blessed memory) said 'Each one of you is possesses in formation within his mother's womb, first as a drop of matter for forty days, then as blood clot for forty days then as a blob for forty days, and then the angel is sent to breathe the spirit into him and writes his life span, sustenance and whether happy or miserable....* 'We hope however that this tradition of the Prophet's be not taken to mean that the embryo in its first 120 days of

development is just waste matter which can be discarded at will. This is precluded by the legal implications, shown above, of induced (intentional) abortions or accidental ones, in the form of prohibition, castigation or fines prior to or subsequent to the 120 day period - all of which were formulated in the light of this tradition of the Prophet.

The "Spirit" in Islam, is something only God knows the truth about. God addresses the Prophet in the Qoran". **They put questions to you concerning the spirit. Say the Spirit is at my Lord's command.. and of knowledge only a meagre part has been impoarted to you" (17:85).**

The Spirit is clearly different from "life" in Islam.. and no man — not even the Prophet — was given the knowledge of what it is . We believe in this saying of the Prophet as a matter of faith — but of course we would not be permitted to legislate upon the basis of something we cannot comperhend .. i.e. the "Spirit" (Rooh).

To round the subject of organ differentiation in the embryo i.e., the appearance of any of his organs, we shall cite Imam Malik's opinion whereby he holds that the aborter is accountable for all conception products discarded by woman, be it a blob, a clot or simple blood. Ashhab (a Maliki jurist) on the other hand maintains that no responsibility attaches to the discharge of blood, but it does so to that of clot or blob, (Audeh, Islamic Criminal Law, 5th ed, 1968) lest discharge of blood alone be wrongly considered to indicate pregnancy with abortion. We repeat here that a microscopic examination can determine the presence of a

pregenancy or the absence of it in almost all cases, with rare exceptions. In fact, Abu-Hanifa, like ash-Shafi'i, maintains that if a woman discharge blob in which no incipient formation can be observed but which is, according to the testimony of reliable authorities, already possessed in yet invisible form the rudiments of human formation which would have taken shape had they been allowed to continue to exist, the woman's aborter in this case is also accountable. (Audeh, previous source). Testimony of reliable authorities translated into our modern terms, would mean medical diagnoses or tests. Criminal abortion therefore applies to the abortion of the embryo from its earliest stages, in fact at inception and from the moment there is reliable evidence that conception has taken place. What is left therefore are those rare cases when the accused may be given the benefit of doubt through the lack of conclusive evidence that pregnancy did occur, as a result for example of the loss of the aborted matter or the disappearance of the pregnancy evidence which could have been determined by the laboratory.

It has been shown that the fetus' ransom is separate from what is due to the mother in compensation for any harm done to her. However, compensation for her person is due to her alone, while that of the fetus belongs to its heirs, to the exclusion of the aborter if among them, in which case he would have to pay the ransom but not inherit therefrom. The ransom due to a fetus ('the ghorra) differs in accordance with the number of fetuses aborted. If the pregnant woman aborts two fetuses then the aborter has to pay two 'ghorras', and if three, he has to pay three.

It is worth noting the care with which Islamic Law surrounds the right of the fetus; Islamic Law does not regard material action as the only factor that might cause abortion. Other causative factors are recognised, such as deeds or utterances. We may list some of these nonmaterial causes: threatening a woman, scaring her, suddenly shouting at her, or a person of whom she stands in awe summoning her to his presence or calling on her unannounced. This point is illustrated by a famous incident. Umar ibn Al-Khattab (second caliph) summoned a woman he used to call on to his presence. At this the woman exclaimed 'Woe is me! Why would Umar want to see me?' While on her way there, filled with apprehension as she was, she was overtaken by pains, aborting a fetus who emitted two cries and died. Umar sought the advice of the companions of the Prophet (of blessed memory) on this matter. Some opined that Umar had incurred no blame, were it not for the fact that he was governor and hence a castigator. As Ali kept silent, Umar turned to him saying 'What do you say to that, Abou-Hassan?' Ali answered, 'If it was their opinion they had given, then they have erred in that opinion; if on the other hand they spoke to oblige you, they have not given you good advice. Yours it is to pay the fetus' ransom, for in terrifying the woman you have caused her to abort'. Umar acted as Ali had advised.

Evidence of the 'Right to Life' of the Fetus

We have presented several opinions regarding the question of the legalisation of induced abortion. It is clear that the opinion advocating its absolute legalisation does not give the fetus the regard due to it as a human being.

We have shown that the Islamic attitude on the other hand is unanimous in considering the fetus as a human being with a right to live. To deprive him of this right is prohibited by religion, unless there are strong grounds justifying the step that far outweigh the destruction of the fetus' life. We have also expressed an opinion on the other types of penalisation — castigation and fines.

Islamic law lays stress upon the regard due to man as man, while the right of the fetus to life stands apart from the question of abortion. Were the woman to be deprived of her right to life, this right would still be retained by the fetus. For the jurists are unanimously agreed that if a pregnant woman were sentenced to death, the execution would be postponed until she gave birth before the arm of the law can touch her. This applies even if her pregnancy is illegitimate. The Prophet (God's blessings be upon him) deferred punishment of a pregnant adulteress until she was delivered of her baby. According to another tradition, punishment was deferred until the woman nursed the baby. This perhaps serves to indicate that pregnancy occuring out of wedlock does not constitute grounds for depriving the fetus of his right to life, regardless of whether the fetus had been formed or shaped or quickened.

The fetus has also the right, if aborted with visible symptoms of life, such as the moving of a finger, breathing, coughing, sneezing or any other like symptoms, to inherit from any of his legators who had died prior to the abortion provided it is established that pregnancy had occured before the death of that legator. If the fetus dies thereafter he can

transmit inheritance to his legal heirs.

A man might die leaving behind him a pregnant wife; a portion of the inheritance left by the father or by any other legator — equal in portion to that of one male child or one female child, whichever is the greater is to be set apart for the fetus (enjoined according to most by the Hanafi school of theology), for the single rather than the multiple birth is the general rule. It is true, some jurists consider that portions for twins or triplets or quadruplets are to be set aside; if the woman then gives birth to one child, the remainder is to be restored to the rest of the inheritors, in accordance with their shares. Those who are of the opinion that a single child's portion should be reserved to the fetus require however that the heirs should provide a person to act as security for them, in the event the woman gives birth to more than one child, in which case the portion of the additional child would be reclaimed from them.

This is the fetus.. These are his distincitive characteristics and these are his rights in Islam. I believe, guided by my observations as a physician and my senses as a Moslem, that the grounds for abortion in its early stages — should be restricted to the situation of certainty of danger in the immediate present or future to the mother's life or health.

In all other cases, life should not be destroyed. Means of contraception are permissible and within easy reach. It would be far better to use them thereby preventing something from happening rather than allowing it to happen and then destroying it.

To say on the other hand that a fetus is unwanted is mere delusion and a pretext. We have conducted a survey on a group of women — married — who had demanded to be aborted but were denied abortion. When they were delivered of their babies, we asked each of them if she still felt that her baby was unwated; the reply of one and all was in the negative. BEING UNWATED IS NO JUSTIFICATION TO BE KILLED.

VIEWS ON STERLIZATION

The four sources of legislation in Islam are: (1) The Qoran, (2) The Hadith or sayings of the Prophet, (3) analogy and (4) the unanimous opinion of Muslim scholars. The second two apply only to issues not mentioned by Qoran or Hadith, and their use should revolve around the legalistic dictum of ensuring "public welfare". Since sterilization is not mentioned by Qoran or Hadith, and assuming there is no unanimity of opinion about it, it can therefore be judged by analogy, an intellectual process of reasoning and matching with comparable issues mentioned by Qoran or Hadith.

We are here discussing permanent sterilization be it male or female. The temporary or reversible procedures belong in the domain of contraception, which Islam clearly permits for a wide spectrum of indications, varying from medical urgency through socio-economic reasons to the preservation of a beautiful physique. Sometimes ethical limitations have to be posed on this freedom to contraception, in response to national or domestic needs. Using the term 'contraception' we do not include abortion, which is prohibtied by Islam except for a medical indication.

The writings of some contemporary scholars on sterilization are largely vitiated by misconception of surgical anatomy and physiology. Some equated it with castration, an old practice denounced by Islam, but resorted to for providing male eunochs for safe employment in sultans' harems. Its

concept was one of sexual disarmament quite unrelated to our topic, in which sexual features and powers remain intact. To oppose sterilization, some scholars even quoted the Qoranic report of Satan's argument with God about the sons of Adam, saying: *'and I will command them so that they shall alter the creation of God..."*, in this instance by surgical operation. This view is hardly worthy of regard.. for it is equally applicable to appendicectomy, tonsillectomy or other surgery, or even to beard shaving and nail trimming.

Sterilization is therefore merely a surgical operation, and per se cannot be described as 'haram' (prohibited) or 'halal' (unprohibited). It is upon the application of this procedure that such verdict may be reached.

When it is therefore done to obviate the transmission of genetic disease to the offspring, sterilization is not only permissible but mandatory. So also it is when further pregnancy is hazardous to the mother with an uncorrectable health deficit and for whom ordinary contraceptive methods are unadvisable or uncomfortable. This seems to be the enlightened Islamic consensus as it complies with the Islamic dictum of '"repelling harm", and this was voiced by such authorities as Sheikh Ahmad Ibrahim, Sheikh Mahmood Shaltoot and others.

When practised for nonmedical indications, however, a rule of thumb does not exist, and careful balance should be held between pros and cons. By analogy, it can be said that permission to contraception by Islam is not bound by a time limit, and that a couple's right to practise contraception

permanently is the same right to adopt permanent contraception which is sterilization.

In answer to the thesis that sterilization contradicts the need of the Muslem nation to grow, we believe that a couple who have attained the family size commensurate with the desired population growth rate, can claim to have fulfilled their duty in this respect. The hazards of high parity are becoming known to more and more people, who cannot be denied to avoid them without a lifelong ordeal of contraceptive practice.

But permission to sterilization is not absolute, and must be guarded with certain constraints which as the case with many medical procedures — belong to the subtle area of ethics rather than the circumspect specifications of jurisprudence. It is more likely therefore that a decision complies with religion if the decision-maker has belief in religion and total faith in its moral code as well as legal system.

Specific situations will be encountered. The general guidelines influencing the decision of the Muslem doctor and we believe also doctors of other scriptural religions include:

(1) Sterilization should be the outcome of voluntary, enlightened and free consent of both spouses. People should not be pressured into sterilization. Procreation is a basic individual right and racial, political or social considerations should not mar it.

(2) Sterilization is usually a final irreversible procedure. A

thorough preassessment of the psychological stamina even of our consenting patient may avert a sad psychologic and or psychosomatic atermath in the case of subsequent change of mood.

(3) With the possibility of loss of children by accidents of fate, or the possibility of the youngish spouse remarrying after divorce or widowhood the exercise of reason and precaution offers reversible contraception as the method of choice for family limitation. The availability of reliable contraraception should make sterilization superfluous in the majority of cases.

(4) Wholesale sterilization should be avoided, whether to control population growth or to experiment with new techniques. Individualisation is absolutely necessary, and sterilization is but one among a full armamentarium of methods, to be used only when best but not when second best. Responsible parenthood is an expression of education and when some people exceed their optimal parity, the proper answer to the situation is more education.

(5) Because *"Religion is advice"* as the Prophet said, it is the duty of the doctor to fully inform the candidates of the implications of the operation and let him or her decide in free will. The choice of the patient should not be binding to the doctor; and occasion will arise when the doctor refuses to do the operation if not convinced that it is for the best interests of the patient as in cases of too young an age or too small a family.

In concludion, we believe that sterilization is "halal" when judiciously used, and "haram" when abused, according to the guidelines we forwarded, and only when these are observed in good Islamic faith...

"For the wind that bloweth the sail is the mind,
But the faith in the heart is the compass to guide,
And what is eyesight if the heart is blind?
All of us look so good ... but what is inside?
Who is right Who is wrong?... Only God will decide."

ON MEDICAL EXAMINATION OF THE OPPOSITE SEX

"lest we drift from the spaciousness of Islam, to the narrows of fanaticism.."

ON MEDICAL EXAMINATION OF THE OTHER SEX

Since the early battles of the muslim army under the leadership of prophet Muhammad (P.B.U.H.) the medical corps consisted of a group of muslim ladies with special training in therapy and nursing. They were called the "asiyat" or lady healers, whose duty it was to carry the wounded and attend to their treatment. They usually had one or more tents at the margin of the battlefield, probably the prototype of what later became the field hospital. The site of the wound on the body never paused a problem or raised an objection to carrying out their medical duty. It was thus established since the days of Badr and Uhud battle that the general rules governing the concealment of body parts to inspection by others were waived for the purpose of medical treatment, this situation being an exception from the general rule. Some of those lady healers excelled in their work, and one in particular, Nussaiba Bint Kaab, gave away her nursing gear at a critical moment during the battle of Uhud and took up sword and sheild,actually participating in the fighting in defence of the prophet, who later on acknowledged her deed in gratitude. We mention this, by the way, to emphasise the positive role of woman in Islam and the wide spectrum it can cover when necessity arises.

Medical treatment entailing the inspection of the body of the opposite sex is therefore legitimate. Jurists over the ages have acknowledged that religiously concealable body parts of both men and women should be concealed from both men and women, a statute which is waived only for the purpose of medical treatment.

Certain circles emphasise their reserve in the field of Gynaecology and Obstertics in particular. A deeper than cursory look at both medical practice and Islamic jurisprudence should, however, alleviate their anxieties. In other medical specialities it is quite often the practice to examine normally unexposable body parts. The physician, chest specialist dermatologist, neurologist etc have to examine the body in toto. The surgeon might palpate the breasts to diagnose or exclude cancer. A haemorhoid operation also uncovers the same site of Gynaecologic procedures and yet the cry has not arisen against the male surgical colleague.

A basic truth seems to escape the comprehension of the critics. In medical practice the human body ceases to exhibit its artistic or emotional role as an object of seductive temptation. What a doctor sees in his patient is a system of integrated and interrelated structure and function. He checks it as the mechanic checks a machine, and tries to locate what went wrong and why. Doctors have undergone a process of professionalisation which a nonmedical person might not comprehend but should not deny. Exceptions are rare and are abnormal, and are minimized still by the rules of medical ethics that make the presence of a third party (eg nurse) mandatory when a doctor examines a patient of the opposite sex.

Over the ages muslim jurists have always adopted this enlightened opinion; centuries ago they stated legal opinions that remain to the present day a model of broad mindedness, progressiveness and maturity in both Islamic emotion and Islamic mind. In his book "Al-Mughni" written in the eighth hijri century, Ibn Qudama, an authority in the Hanbali sect wrote: "it is permissible for the man doctor to inspect whatever parts of her body that the medical examination warrants.... for this is considered a necessity". Al-Adab Al-Shariyaa written by Ibn Muflih — also of the Hanbali sect relates an interesting account: "Marwathi asked Abu Abdullah about a woman who had incurred a fracture and the bone-setter found it necessary to lay his hands on her to manipulate the fracture. The answer was a clear consent since that was a medical necessity. So he went a step further and told that the bone-setter who wanted to apply a splint, wanted to expose her chest and lay his hands over it during the treatment, and again the answer was a straight forward permission".

The same page in the same book gives the clear statement: "A man doctor may inspect the religiously coverable parts of a woman's body that medical examination warrants, as long as none else but a man is available to treat her, even if he has to look at her genital area. The same is true if a man is ill and only a woman doctor is available, she may inspect his body, even the genital parts". The same was re-iterated by judge Abu Yaala of the Hanbali and Ibn Abdine of the Hanafi sects.

In the modern resurgence of Islam, some hard-liners feel

uneasy, and seem to linger too much at phrases like "only if necessary" or "if only a male doctor is available" and similar expressions. Recently, a member of parliament in a middle eastern country expressed disquiet at male doctors practising obstetrics, and officially made the plea that only women doctors should conduct deliveries, recruiting the help of the man doctor only when the situation became sufficiently necessary.. "compelling necessity", to use his own terminology. Whatever his feelings that formulated his point of view, we do respect them even if we do not concur with them.. but since the claimant based his case on the "teachings of Islam", we find it inevitable to disagree. A more than cursory study of Islam, and a more serious knowledge about medical practice, should easily alleviate anxieties and cool down that religious emotionalism.

As a matter of fact the general rule in Islam is that the "awra" (part of the body that should not be exposed to others) of a woman is forbidden to be looked at not only by men but by women as well. Even a woman doctor specializing in Gynaecology and Obstetrics would examine and attend her patients not on account of free access but by way of permissible exception on account of the "necessity" status of medical practice.

There is indeed unanimity, including even the ultraradical, that society should have doctors of both sexes, whatever the duties assigned to each of them may be. It does not take much thinking to know that in the preparation of the young man or the young woman to be a doctor, it is imperative for both to inspect the body of the opposite sex. If we delete the

male body from the curriculum of female medical students it will not be possible to make lady doctors out of them... and similarly it will not be possible to make male doctors if we delete the study of the female body from the curriculum of male students. The nature of medical studies is incompatible with this idea. The making of a doctor starts with the making of the generalist... later specialization entails going in depth in a certain discipline with full awareness of relations and interactions with other body functions and systems... otherwise specialization would be reduced to something like peeping through the key hole and shamming a fruitful description of the scene: We would like at this conjunction to reassure many a restless man or woman "ultra-religious" medical student that it is not against religion to pursue medical knowledge as currently presented to them, even if it entails examination of opposite sex, be this in the dissecting room or at the bed side. To prepare doctors of both sexes is a religious duty upon society (Fardh-Kifaya : a duty that some members of society can take over in lieu of the whole). It is the religious dictum that a prerequisite of a religious necessity becomes in itself a "religious necessity".

And now for a second look at the view that singles out the work of men doctors in gynaecology and obstetrics as a target for assault. We think it would have been more logic if such critics raised the slogan of "male doctors for male patients and female doctors for females"... in all disciplines of medicine, since "exposure" is not confined to the discipline of gynaecology and obstetrics as we already pointed out. Would this be a practical suggestion??

Would it be possible to permit the inspection of the body of the opposite sex only during undergraduate teaching, and after graduation assign doctors to treat patients of their own sex both in general practice as well as in the various medical specialities? Obviously not. Women constitute half the society while women doctors fall too short of constituting half the medical manpower. This appleis in general practice and is even more manifest in the specialities. Some specialities are noticeably shunned by women doctors such as surgery and — we confidently say — gynaecology and obstetrics, which the majority of woman doctors find quite taxing to their faminine nature and to their roles as wives and mothers. Obstetrics in particular is amongst — if not the — most taxing specialities, paying no heed to day or night, incompatible with postponement or temporization, calling for taking serious decisions and promptly executing them at a few moments notice or else mother or baby are jeopardised. Women gynaecologist- obstetricians who attain excellence in this field are only few .. and they certainly pay a sacrifice as ladies, wives and mothers for the sake of their specialist career. Inspired by superficial considerations many persons believe that the natural scope for a woman doctor to specialize in is obstetrics.. both a deeper look and statistics denote the reverse, which to medical practictioners is not surprising at all.

The overzealous would — unwillingly - however take a step back and request that a male doctor should only be called to attend a woman — say in labour — only when "necessity" arises and serious complications threat the parturient or her fetus. which then furnishes the recognized

"necessity" old jurists wrote about. It would not upset their religious conscience then to invite the male master specialist who has enough knowledge, experience and skill to deal with the critical situation. But ! is this kind of doctor, however, born endowed with all these properties? Can a doctor ever get trained to cope with the difficult without, at the beginning, mastering the easy, then the more and more difficult until experience adds up and more accumen and skill are attained through a gradual and cumulative process of continual education and maturation?! Can a climber reach the top of the mountain without painfully scaling the foot and the side? Since this is the only way to prepare the top man.. and since the preparation of top specialists is a necessity.. and (acknowledging that prerequisites of religious necessities become themselves religious "necessities", the Islamic ruling over this issue is too obvious.

Before concluding, we would like to refer to the occasional woman patient who expresses her desire to be examined by a woman doctor. We believe every effort should be made to satisfy her wish.. not because it is religiously forbidden to be examined by a man, but because we owe it to our patients to respect their personal beliefs and cater for their psychological comfort. If a woman doctor is not available at the time, a later appointment should be arranged.. and if the condition is urgent it should be adequately and convincingly exaplined to her that the urgency of the situation makes it religiously allright to be treated by a male doctor.

As a closing remark, we should like to point out to our readers that this chapter is not as superfluous as it seems to

many eyes to be. In the current wave of Islamic revival we have encountered some militants both amongst our medical students and amongst the laity. It is hoped that these pages have successfully revealed Islamic ruling on this topic, alleviated unnecessary anxieties and relieved many a fellow muslim from burdens that God never meant to impose on them. It is a humble guiding contribution lest we subtly drift from the spaciousness of Islam to the tightness of fanaticism.

ISLAMIC CODE OF MEDICAL ETHICS

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IN THE NAME OF GOD
AND IN HIS PRAISE

Current progress in medical and life sciences has acquired revolutionary features ... and heralds breath-taking developments in medical technology and human engineering. Like any force, biosciences need to be harnessed for the welfare of humanity, and be so guided as never to stray to be a destructive power, as happened to nuclear fission in the near past.

In the wake of application of modern discoveries in human reproduction, heredity, recombinant DNA and synthesis of behaviour influencing drugs, our generation is witnessing a radical shaking of our heritage of moral values and codes of behaviour.

In an attempt to keep human knowledge on the proper track prescribed by God as HE declared Man as HIS viceroy on this planet, colonizing earth, searching for God's laws and putting them to beneficial use, this document was submitted to the First International Conference on Islamic Medicine held in Kuwait at the onset of the Fifteenth Hijri Century (6 - 10 Rabie Awal 1401 : 12 - 16 January 1981).

The document was endorsed by that conference as the Islamic Code of Medical Ethics.

The adoption of this document by all medical bodies in the Islamic world is hoped to be an area we coverge upon... in these times when there is so much that diverges us.

Every muslim doctor will hopefully find in it the guiding light to maintain his professional behaviour within the boundaries of Islamic teachings.

Medical and paramedical students should find in it a window over the future, so that they enter their professional life conversant with what to do and what to avoid, well prepared to face pressures or temptations or uncertainties.

To medical scientists it subserves the function of rudder to the ship.. directing their efforts to harness science and technology only to the welfare of humanity but not to its danger or destruction.

We are confident that nonmuslim colleagues will also see in it a reflection of what God wishes man to be, and to do.

It is in God that we trust... and Him that we seek guidance from.

FIRST
DEFINITION OF MEDICAL PROFESSION

⋆ "THERAPEUSIS" is a noble Profession. God honoured it by making it the miracle of Jesus son of Mary. Abraham enumerating his Lord's gifts upon him included **"and if I fall ill He cures me".**

⋆ Like all aspects of knowledge, medical knowledge is part of the knowledge of God **"who taught man what man never knew',.** The study of Medicine entails the revealing of God's signs in His creation. **'And in yourselves.. do you not see'..** The practice of Medicine brings God's mercy unto His subjects. Medical practice is therefore an act of worship and charity on top of being a career to make a living.

⋆ But God's mercy is as accessible to all people including good and evil, virtuous and vicious and friend and foe-as are the rays of His sun, the comfort of His breeze, the coolness of His water and the bounty of His provision. And upon this basis must medical profession operate, along the single track of God's mercy, never adversive and never punitive, never taking justice as its goal but mercy, under whatever situations and circumstances.

★ In this respect the medical profession is unique. It shall never yield to social pressures motivated by enmity or feud be it personal, political or milit ary. Enlightened statesmanship will do good by preserving the integrity of the medical profession and protecting its position beyond enmity or hostility.

★ The provision of medical practice is a religious dictate upon the community, 'Fardh Kifaya', that can be satisfied on behalf of the community by some citizens taking up medicine. It is the duty of the state to ensure the needs of the nation to doctors in the various needed specialities. In Islam, this is a duty that the ruler owes the nation.

★ Neeed may arise to import from afar such medical expertise that is not locally available. It is the duty of the State to satisfy this need.

★ It also behoves the State to recruit suitable candidates from the nation's youth to be trained as doctors. An ensuing duty therefore is to establish relevant schools, faculties, clinics, hospitals and institutions that are adequately equipped and manned to filfill that purpose.

★ "Medicine" is a religious necessity for society. In religious terms, whatever is necessary to satisfy that "necessity" automatically acquires the status of a "necessity" Exceptions shall therefore be made from certain general rules of jurisprudence for the sake of making medical education possible. One such example is the intimate inspection of the human body whether alive or dead, without in any way compromising the respect befitting the human

body in life and death, and always in a climate of piety and awareness of the presence of God.

⋆ The preservation of man's life should embrace also the utmost regard to his dignity, feelings, tenderness and the privacy of his sentiments and body parts. A patient is entitled to full attention, care and feeling of security while with his doctor. The doctor's privilege of being exempted from some general rules is only coupled with more responsibility and duty that he should carry out in conscientiosness and excellence in observing God. "excellence that entails that you worship God as if you see Him, for even though you dont see Him, Hee sees you;"

> *"Al-Ghazali considered the profession of medicine as (fardh-Kifaya), a duty on society that some of its memebrs can carry in lieu of the whole. This is natural since the need of health is a primary need and not a subsequent one. If health is seriously impaired hardly anything in life remains enjoyable.*
>
> *That it is permissible for the purpose of treatment to look at hidden and private parts of the body, derives from the rule of jurisprudence 'necessities override prohibitions' ... and*

complies with the Qoranic excuse when "compelled to do something but without ill intention". Since the early days of Islam the Lady Healer's corps joined the Prophet's army to battle caring for the casualties and dressing their wounds on whatever part of the body. This provoked no dispute or divergence of opinion.

To import medical expertise and to treat muslims by non-muslim physicians should be decided only by the condition of the patient and the capability of the doctor.

Since an early time the Muslim state employed christian doctors from Junidishapur and treated them very generously. In this context it is also worthy remembering that the Prophet's guide on the journey of Hijra was Abdullah Ibn Uraikit, a non-muslim, chosen by the Prophet on account of his honesty and thorough knowledge of the road".

SECOND
CHARACTERIZATION OF MEDICAL PRACTITIONER

* The physician should be amongst those who believe in God, fulfil His rites, are aware of His greatness, obedient to His orders, refraining from His prohibitions, and observing Him in secret and in public.

* The physician should be endowed with wisdom and graceful admonition. He should be cheering not dispiriting, similing and not frowning, loving and not hateful, tolerant and not edgy. He should never succumb to a grudge or fall short of clemency. He should be an instrument of God's justice, forgiveness and not punishment, coverage and not exposure.

* He should be so tranquil as never to be rash even when he is right .. chaste of words even when joking .. tame of voice and not noisy or loud, neat and trim and not shabby or unkempt .. conducive of trust and inpsiring of respect .. well marnered in his dealings with the poor or rich, modest or great .. in perfect control of his composure .. and never compromising his dignity, however modest and forebearing.

* The physician should firmly know that 'life is God's ..

awarded only by Him .. and that 'Death' is the conclusion of one life and beginning of another. Death is a solid truth .. and it is the end of all but God. In his profession the Physician is a soldier for "Life" only .. defending and preserving it as best as it can be, to the best of his ability.

⋆ The Physician should offer the good example by caring for his own health. It is not befitting for him that his "do's" and "dont's" are not observed primarily by himself. He should not turn his back on the lessons of medical progress, because he will never convince his patients unless they see the evidence of his own conviction.. God addresses us in the Qoran by saying **"and make not your own hands throw you into destruction".** The Prophet says *"your body has a right on you".. and the known dictum is" no harm or harming in Islam".*

⋆ The Physician is truthful whenever the speaks, writes or gives testimony. He should be invincible to the dictates of creed, greed, friendship or authority pressurizing him to make a statement or testimony that he knows is false. Testimony is a grave responsibility in Islam. The Prophet once asked his companions *"shall I tell you about the gravest sins"* When they said yes he said *"claiming partners with God, being undutiful to one's parents.."* and after a short pause he repeatedly said *"and indeed the giving of false talk or false testimony."*

⋆ The Physician should be in possession of a threshold knowledge of jurisprudence, worship and essentials of Fiqh enabling him to give counsel to patients seeking his guidance

about health and bodily conditions with a bearing on the rites of worship. Men and Women are subject to symptoms, ailments or physiological situations like pregnancy, and would wish to know the religious ruling pertaining to prayer, fasting, pilgrimage, family planning etc..

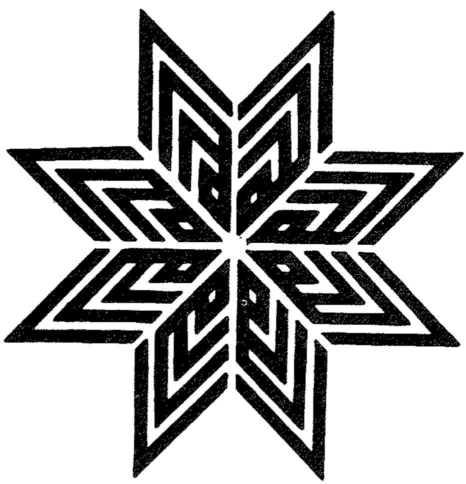
⋆ Although 'necessity overrides prohibition', the Muslim Physician nevertheless — should spare no effort in avoiding the recourse to medicines or ways of therapy — be they surgical, medical or behavioural — that are prohibited by Islam.

⋆ The role of Physician is that of a catalyst through whom God, the Creator, works to preserve life and health. He is merely an instrument of God in alleviating people's illness. For being so designated the Physician should be grateful and forever seeking God's help. He should be modest, free from arrogance and pride and never fall into boasting or hint at self glorification through speech, writing or direct or subtle advertisement.

⋆ The Physician should strive to keep abreast of scientific progress and innovation. His zeal or complacency and knowledge or ignorance, directly bear on the health and well — being of his patients. Responsibility for others should limit his freedom to expend his time. As the poor and needy have a recognized right in the money of the capable, so the patients own a share of the Doctor's time spent in study and in following the progress of medicine.

⋆ The Physician should also know that the pursuit of

knowledge has a double indication in Islam. Apart from the applied therapeutic aspect, pursuit of knowledge is in itself worship, according to the Qoranic guidance: "And say .. **My Lord .. advance me in knowledge.** "and: **"Among His worshippers .. the learned fear Him most"** .. and : **God will raise up the ranks of those of you who believed and those who have been given knowledge.**



ALLAH

in Arabic Callgraphy

THIRD
RELATION BETWEEN DOCTOR AND DOCTOR

⋆ A doctor is a brother to every doctor and a fellow companion in the noblest mission that is a direct answer to God's commandment in the Qoran: **"And help one another in chariyt and piety .. but help not one another in sin and rancour".**

⋆ Physicians are jointly responsible for the health care of the Nation .. and complement one another through the variety of their medical specialization be they preventive or therapeutic, in the private sector or State employment .. all abiding by the ethics and rules of their profession.

⋆ As a professional group in the Nation, Doctor's are collectively responsible for drawing plans and taking measures and developing traditions and regulations that are necessary to enable them collectively and individually to carry out their duties as best as possible.

⋆ Within their fraternity, a Doctor should respect his

fellow Doctor in his absence. He should offer him advice and / or help whenever sought. A Doctor shall not eat his brother's flesh by speaking ill of him from behind his back .. nor shall he pursue his shortcomings or tarnish his reputation or exhibit his deficits. He shall never extend a harming hand to his brother. This does not absolve the doctor however, from absolute honesty when giving legal testimony or aiding in the prevention of a crime : according to the dictates of the Law.

⋆ The mutual relation between Physicians is additive and not competitive ... and collaboration in good faith for the best interests of the patient.
If more than one doctor handle the patient, medical data should not be withheld from the treating doctor (s).
These data should be conveyed in a clear lucid talk or neat legible writing.
These data should be kept in confidence, within the boundaries of the medical circle without leakage.

⋆ If in doubt, it is the duty of the Doctor (and the right of the patient) that consultation should be arranged or the case referred to a specialist. This is also inspired by the Qoranic saying : **Ask of the people who possess the message if you do not know".**

The specialist will take whatever steps he deems necessary .. but he shall keep the referring Doctor informed about the current and subsequent happenings.

⋆ It is a Doctor's duty to avail his juniors of the fruits of his

experience, knowledge and acumen. He should provide for their education and training .. for "The concealer of knowledge is cursed', and because it is in answer to the rights of colleagues, patients and the profession at large from one generation to another.

> *"In this context it is worthy to remember the Prophet's saying: 'When the son-of-Adam dies he is completely cut off except from three things : a running charity, knowledge that be had taught and remains put to good use and virtuous progeny praying God for him".*

⋆ Doctors shall be also mutually cooperative and shall promptly rally to the aid of one another if inflicted by sickness affecting a colleague a member of his family, as well as under conditions of stress, need, disability or death.

⋆ At this age the Doctor is hardly the individualist he was in old ... for medical care nowdays is given by a team comprising — apart from the Doctor — nursing, laboratory, physiotherapy, social service and other personnel. The doctor shall foster the team spirit and perfect cooperation so that the team achieves best results in patient care.

⋆ This code shall be binding also to all personnel of all ranks in all fields of health care.

FOURTH
RELATION BETWEEN DOCTOR AND PATIENT

⋆ For the sake of the patient the Doctor was .. and not the other way round. Health is the goal and medical care is the means .. the "patient" is master and the "Doctor" is at his service. As the Prophet says *"The strongest should follow the pace of the weakest* .. for he is the one to be considered in deciding the pace of travel. Rules, schedules, time-tables and services should be so manipulated as to revolve around the patient and comply with his welfare and comfort as the top and overriding priority .. other considerations coming next.

⋆ That top-priority status is conferred on the patient because and as long as he is a patient ... no matter who he is or what he is, a patient is in the sanctuary of his illness and not of his social eminence, authority or personal relations. The way a Doctor deals with his various patients is a perfect portrayal of his personal integrity.

⋆ The sphere of a Doctor's charity, nicety, tolerance and patience should be large enough to encompass the patient's relatives, friends and those who care for or worry about him .. but without of course compromising the dictates of "Professional Secrecy".

★ Health is a basic human necessity and is not a matter of luxury. It follows that the Medical Profession is unique in that the client is not denied the service even if he cannot afford the fee. Medical legislature should ensure medical help to all needy of it, by issuing and executing the necessary laws and regulations.

★ In private Practice the Doctor's fees are his lawful right .. and his earnings are legitimate ... and his conscience is his censor, aware that God's eye is ever watching.

★ If medical necessity or emergency however, puts a needy person under his care, it should be the Doctor's duty to be considerate and kind, and avoid his fees-if any-being a further burden atop of the ailment. For as you give the poor it is God you are giving and alms giving is not only due on material possessions but on knowledge and skills too. The Medical Profession is fundamentally the vocation to help Man under stress and not to exploit his need

★ Fully entitled to make a decent living and earn a clean income .. a Doctor shall always honour the high standards of his profession and hold it in the highest regard, never prescribing to activities of propaganda, receiving a commission or cutting earnings or similar misdoings.

FIFTH
PROFESSIONAL SECRECY

Keeping other persons' secrets is decreed on all the Faithful ... the more so if these were Doctors, for people willfully disclose their secrets and feelings to their doctors, confident of the time old heritage of Professional Secrecy, that the medical profession embraced since the dawn of history. The Prophet (P.B.U.H). described the three signs of the hypocrite as : *"He lies when he speaks, he breaks his promise and he betrays when confided in"*. The Doctor shall put the seal of confidentiality on all information acquired by him through sight, hearing or deduction. Islamic spirit also requires that the items of the Law should stress the right of the patient to protect his secrets that he confides to his Doctor.. A breach thereof would be detrimental to the practice of medicine, beside precluding several categories of patients from seeking medical help.

SIXTH
DOCTOR'S DUTY IN WAR TIME

⋆ Since the earliest of Islam it was decreed that the wounded is protected by his wound and the captive by his captivity. The faithful are praised in the Qoran as : **they offer food — dear as it is — to the needy, orphan or captive, (saying) we feed you for the sake of God without seeking any reward or gratitude from you".** The Prophet (P.B.U.H). said to his companions: *"I entrust the captives to your charity"*.. and they did .. even giving them priority over themselves in the best of the food they shared. It is of interest to note that this was thirteen centuries prior to the Geneva Convention and the Red Cross.

⋆ Whatever the feelings of the Doctor and whereever they lie, he shall stick to the one and only duty of protecting life and treating ailment or casualty.

⋆ Whatever the behaviour of the enemy, the Muslim Doctor shall not change his course .. for each side reflects his own code of behaviour. God made it clear in the Qoran: **"Let not the wrong doing of others sway you into injustice.**

⋆ As part of the international medical family, Muslim Doctors should lend all support on a global scale to protect

and support this one-track noble course of the Medical Profession .. for it is a blessing to all humamity if this humanitarian role is abided with on both sides of the battle front.

⋆ The Medical Profession shall not permit its technical, scientific or other resources to be utilized in any sort of harm or destruction or infliction upon man of physical, psychological, moral or other damage .. regardless of all political or military considerations.

⋆ The doings of the Doctor shall be unidirectional aiming at the offering of treatment and cure to ally and enemy, be this at the personal or general level.

SEVENTH
RESPONSIBILITY AND LIABILITY

⋆ The Practice of Medicine is lawful only to persons suitably educated, trained and qualified, fulfilling the criteria spelt out in the Law. A clear guidance is the Prophet's tradition : *"Who-so-ever treats people without knowledge of medicine, becomes liable"*.

⋆ With the availability of medical specialization, problem cases shall be referred to the relevant specialist. *"Each one is better suited to cope with what he was meant for"*.

⋆ In managing a medical case the Doctor shall do what he can to the best of his ability. If he does, without negligence, taking the measures and precautions expected from his equals then he is not to blame or punish even if the results were not satisfactory.

⋆ The Doctor is the patient's agent on his body. The acceptance by the patient of a Doctor to treat him is considered an acceptance of any line of treatment the Doctor prescribes.

★ If treatment entails surgical interference the initial acceptance referred to should be documented in writing, for the sake of protecting the Doctor against possible eventualities. If the patient declines or refuses the Doctor's prescribed plan of treatment, this refusal should also be documented by writing, witnesses or patient's signature as the situation warrants or permits.

★ When fear is the obstacle preventing the patient from consent, the Doctor may help his patient with a medicine such as a tranquillizer to free his patient from fear but without abolishing or supressing his consciousness, so that the patient is able to make his choice in calmness and tranquility. By far the best method to achieve this is the poise of the Doctor himself and his personality, kindness, patience and the proper use of the spoken word.

★ In situations where urgent and immediate surgical or other interference is necessary to save life, the Doctor should go ahead according to the Islamic rule "necessities override prohibition". His position shall be safe and secure whatever the result achieved, on condition that he has followed established medical methodology in a correct way. The "bad" inherent in not saving the patient outweighs the presumptive 'good' in leaving him to his self destructive decision. The Islamic rule proclaims that "warding off" the 'bad' takes priority over bringing about the 'good'.
The Prophetic guidance is *"Help your brother when he is right and when he is wrong"*. When concurring with helping a brother if right but surprised at helping him when wrong, the Prophet answered his companions: *"Forbid him from being wrong.. for this is the help he is in need of"*.

EIGHT

THE SANCTITY OF HUMAN LIFE

★ **"On that account we decreed for the Children of Israel that whoever kills a human soul for other than manslaughter or corruption in the land, it shall be as if he killed all mankind, and who-so-ever saves the life of one, it shall be as if he saved the life of all mankind". 5.32**

★ Human Life is sacred .. and should not be willfully taken except upon the indications specified in Islamic Jurisprudence, all of which are outside the domain of the Medical Profession.

★ A Doctor shall not take away life even when motivated by mercy. This is prohibited because this is not one of the legitimae indications for killing. Direct guidance in this respect is given by the Prophet's tradition : *"In old times there was a man with an ailment that taxed his endurance. He cut his wrist with a knife and bled to death. God was displeased and said "My subject hastened his end... I deny him paradise'."*.

"Mercy killing like suicide finds
no support except in the atheistic way

of thinking that believes that our life on this earth is followed by void. If this is sound thinking, it would have been reasonable for almost all of the human race to commit suicide and get rid of the difficulties of life... for indeed hardly a life is devoid of difficulty or pain. The claim of killing for painful hopeless illness is also refuted, for there is no human pain that cannot be conquered by medication or by suitable neurosurgery. Another category is killing to obviate the miseries presumably ensuing upon deformity. If this earns acceptance, then it will not be long until claims are made to kill the aged and unproductive members of society as a measure of combating the sequelae of population growth beyond available resources".

⋆ The sanctiy of human life covers all its stages including intrauterine life of the embryo and fetus. This shall not be compromised by the Doctor save for the absolute medical necessity recognised by Islamic Jurisprudence.

"This is completely in harmony with modern medical science which lately has embraced a new speciality called Fetal Medicine... striving to diagnose and treat affliction of the

fetus in utero, and devise an artificial placenta to sustain fetuses aborted before viability.

Modern permissive abortion policies are not sanctioned by Islam, which accords several rights to the fetus. There is a money ransom on abortion in Islam. A fetus has rights of inheritance and if aborted alive and dies it is inherited by its legal heirs. If a pregnant woman is sentenced to death for a crime, execution is postponed util she delivers and nurses the baby ... even if that pregnancy was illegitimate. The basic right to life of the fetus is therefore self evident''

⋆ In his defence of Life, however, the Doctor is well advised to realize his limit and not transgress it. If it is scientifically certain that life cannot be restored, then it is futile to deligently keep on the vegetative state of the patient by heroic means of animation or preserve him by deepfreezing or other artificial methods. It is the process of life that the Doctor aims to maintain and not the process of dying. In any case, the Doctor shall not take a positive measure to terminate the patient's life.

⋆ To declare a person dead is a grave responsibility that ultimately rests with the Doctor. He shall appreciate the seriousness of his verdict and pass it in all honesty and only

when sure of it. He may dispel any trace of doubt by seeking counsel and resorting to modern scientific gear.

⋆ The Doctor shall do his best that what remains of the life of an incurable patient will be spent under good care, moral support and freedom from pain and misery.

⋆ The Doctor shall comply with the patient's right to know his illness. The Doctor's particular way of answering should however be tailored to the particular patient in question. It is the Doctor's duty to thoroughly study the psychological acumen of his patient. He shall never fall short of suitable vocabulary if the situation warrants the deletion of frightening nomenclature or coinage of new names, expressions or descriptions.

⋆ In all cases the Doctor should have the ability to bolster his patient's faith and endow him with tranquility and peace of mind.

NINTH
DOCTOR AND SOCIETY

⋆ The Doctor is in every sense a member of society, fully acting, interacting and caring for it. The prophet says .. *Religion is to give honest advice for God and His apostle and to muslim leaders and public.*

⋆ The Doctor's mission exceeds the treatment of disease to taking all measures to prevent its occurence, in compliance with the Qoranic command: **"Let not your own hands push you into destruction"**. The hint to a "preventive" policy is evident in the saying of the Prophet: *"When pestilence is rampant in a locality do not go inside it.. but if you are already inside then do not come out of it".*

⋆ The Medical Profession shall take it as duty to combat such health-destructive habits as smoking, uncleanliness etc. Apart from mass education and advertence, the Medical Profession should unrelentlessly pressurize the judiciary to issue necessary legislation.

The combat and prevention of enviromental pollution falls under this category.

⋆ The natural prophylaxis against venereal diseases and the other complications ensuing upon sexual licence, lies in revival of the human values of chastity, purity, self-restraint and refraining from advertently or inadvertently inflicting harm on self or others. To preach these religious values is 'Preventive Medicine' and therefore lies within the jurisdiction and obligation of the medical profession.

> *In certain developed countries gonorrhoea and syphylis have reached epidemic proportions inducing health authorities to request the declaration of a national emergency situation. Yet all medical preaching regrettably goes on the tone of: it is alright, it is no shame, it is normal, but please seek medical advice promptly if you suspect catching the disease. No pamphlet or other message over the media has dared to touch on chastity even as one of several prophylactic alternatives.*
>
> *In contrast with anti-pollution, anti-smoking, anti-sacharine, antifat and several other anti's sexual licence has bee signled out as the area where 'a doctor should not moralize ... but just treat';*

⋆ The Muslim Medical Profession should be conversant with Islam's teachings and abiding by them. It should also

thoroughly study at first hand the data, facts figures and projections of various parameters actually existent in Muslim societies. Upon this should be decided what to take and what to reject from the experiences and conclusions of other societies. Reconciliation with a policy of uncritical copying of alien experience should be stopped.

⋆ Society owes the Doctor his right to be trusted, to live comfortably, to earn an adequate income and to keep his dignity.

A Doctor should prove worthy of these rights .. or else he is vulnerable to punition.

> *"In all communities there are elements who through thank-lessness, ignorance or a flare for sensationalism, attempt to tarnish the public portrait of the Medical Profession. The brunt of such cruelty falls mainly on the poor patient who has no choice but to surrender himself to the Doctor for therapy or surgery. It is mental torture then if a bad portrait of the Doctor was inclulcated on his mind. The press in particular should consider these implications and avoid unscrutinized, wrong or slanted information.*

Health authorities should not refrain from taking legal action against these distorted publications, not particularly in short term defence of the Doctor but mainly for the long term security of the nation. If a doctor behaved in an unbecoming or unlawful way, the Profession should be even harsher on him ... in order to preserve the good repute of medical practice".

TENTH
DOCTOR AND BIO-TECHNOLOGICAL ADVANCES

★ There is no censorship in Islam on scientific research, be it academic to reveal the signs of God in His creation, or applied aiming at the solution of a particular problem.

★ Freedom of scientific research shall not entail the subjugation of Man, telling him, harming him or subjecting him to definite or probable harm, withholding his theraepu-tic needs, defrauding him or exploiting his material need.

★ Freedom of scientific research shall not entail cruelty to animals, or their torture. Suitable protcols should be laid upon for the uncruel handling of experimental animals during experimentation.

★ The methodology of scientific research and the applica-tions resultant thereof, shall not entail the commission of sin prohibited by Islam such as fornication, confounding of genealogy, deformity or tampering with the essence of the human personality, its freedom and eligibility to bear responsibility.

★ The Medical Profession has the right and owes the duty

— of effective participation in the formulation and issuing of religious verdict concerning the lawfulness or otherwise of the unprecedented outcomes of current and future advances in biological science. The verdict should be reached in togetherness between Muslim specialists in jurisprudence and Muslim specialists in biosciences. Single-sided opinions have always suffered from lack of comprehension of technical or legal aspects.

⋆ The guiding rule in unprecedented matters falling under no extant text or law, is the Islamic dictum : "Wherever welfare is found, there exists the statute of God".

⋆ The individual patient is the collective responsibility of Society, that has to ensure his health needs by any means inflicting no harm on others. This comprises the donation of body fluids or organs such as blood transfusion to the bleeding or a kidney transplant to the patient with bilateral irreparable renal damage. This is another 'Fardh Kifaya' a duty that donors fulfill on behalf of society. Apart from the technical procedure, the onus of public education falls on the Medical Profession, which should also draw the procedural, organizational and technical regulations and the policy of priorities.

⋆ Organ donation shall never be the outcome of compulsion, family embarassment, social or other pressure or exploitation of financial need.

⋆ Donation shall not entail the exposure of the donor to harm.

★ The Medical Profession bears the greatest portion of responsibility for laying down the laws, rules and regulations organizing organ donation during life or after death by a statement in the donor's will or the consent of his family: as well as the establishment of tissue and organ banks for tissues amenable to storage. Cooperation with similar banks abroad is to be established on the basis of reciprocal aid.

"Umar ibnul - Khattab, second Caliph, decreed that if a man living in a locality died of hunger being unable of self-sustenance, then the community should pay his money ransom (fidiah) as if they had killed him. The similitude of people dying because of lack of blood transfusion or a donated kidney is very close.

Two traditions of the Prophet seem to be quite relevant in this respect.. The one is : The faithful in their mutual love and compassion are like the body ... if one member complains of an ailment all other members will rally in response. The other tradition says, "The faithful to one another are like the blocks in a whole building ... they fortify one another".

God described the Faithful in the Qoran saying: **"They give priority**

over themselves even though they are needy". *This is even a step further than donating a kidney, for the donor can dispense with one kidney and live normally with the other ... as routinely ascertained medically prior to donation.*

If the living are able to donate, then the dead are even more so: and no harm will afflict the cadaver if heart, kidneys, eyes or arteries are taken to be put to good use in a living person. This is indeed a charity ... and directly fulfils God's words : 'And who-so-ever saves a human life it is as though he has saved all mankind'.

A word of caution, however, is necessary. Donation should be voluntary by free will .. or the dictatorships will confiscate people's organs thus violating two basic Islamic rights : the right of freedom and the right of ownership.

In the society of the Faithful donation should be in generous supply and should be the fruit of faith and love of God and His subjects. Other societies should not beat us to this noble goal".

ELEVENTH
MEDICAL EDUCATION

★ Medical Education, despite being a speciality, is but one fiber in a whole mesh founded on the belief in God, His oneness and absolute ability, and that He alone is the Creator and giver of life, knowledge, death, this world and the hereafter.

★ In planning the making of a Doctor, a principal goal is to make him a living example of all that God loves, free from all that God hates, well saturated with the love of God, of people and of knowledge.

★ The Medical Teacher owes his students the provision of the good example, adequate teaching, sound guidance and continual care in and out of classes and before and after graduation.

★ Medical Education picks from all trees without refractoriness or prejudice. Yet it has to be protected and purified from every positive activity towards atheism or infidelity.

★ Medical Education is neither passive nor authoritarian. It aims at sparking mental activity, fostering observation, analysis and reasoning, development of independent thought

and the evolvement of fresh questions. The Qoran blamed those who said : **"As such we have found our fathers and we will follow on their footsteps"** .. an attitude which is only conductive to stagnation and arrest of progress.

⋆ "Faith" is remedial, a healer, conqueror of stress and a procurer of cure. The training of the Doctor should prepare him to bolster "Faith" and avail the patient of its unlimited blessings.

⋆ Medical school curricula should include the teaching of matters of jurisprudence and worship pertaining to or influenced by various health aspects and problems.

⋆ Medical School curricula should familiarise the student with the medical and other scientific heritage of the era of Islamic civilization, the factors underlying the rise of Muslim civilization, those that lead to its eclipse, and the ways (s) to its revival.

⋆ Medical school curricula should emphasize that medicine is worship.. both as an approach to belief by contemplation on the signs of God, as well as from the applied aspect by helping Man in distress.

⋆ Medical school curricula should comprise the teaching and study of this "Islamic Code of Medical Ethics".

TWELFTH
THE OATH OF THE DOCTOR

I swear by God ... The Great
To regard God in carrying out my profession.
To protect human life in all stages and under all circumstances, doing my utmost to rescue it from death, malady, pain and anxiety..
To keep people's dignity, cover their privacies and lock up their secrets...
To be, all the way, an instrument of God's mercy, extending my medical care to near and far, virtuous and sinner and friend and enemy ...
To strive in the pursuit of knowledge and harnessing it for the benefit but not the harm of Mankind...
To rever my teacher, teach my junior, and be brother to members of the Medical Profession joined in piety and charity...
To live my Faith in private and in public, avoiding whatever blemishes me in the eyes of God, His apostle and my fellow Faithful.

And may God be witness of this Oath.